2009

Resolution/Minutes

April-May-June

Resolution #	Project Name	Page #	Minutes Page #	Item #
July				
2233-09	General CIPP 2009 - Package #2	1	6	3
7234-09	Misc. Construction Pkg A-2009 (WO# 12090)	2	4	4
	2009 Passenger Vehicle Lease (PR #6)	5	7	13
96-7-15-09-1	Termination of Pending Condemnation (96-6-17-09-2)	6	14	10
96-7-15-09-2	Reroute of Building Sewer at Indiana Tech	10	14	11
7243-09	Cambridge Blvd. - Trinity Blvd to Harvard Blvd (WO# 12120)	14	14	7
7245-09	South Anthony Blvd: Capitol Ave. TO McKinnie Ave.	17	14	8
7248-09	Wells Street Streetscape Improvements (WO# 12149)	18	14	9
2190-09	Flood Control Program: Winchester Rd. Flood Fighting	21	11	2
2200-09	General Open Cut Sewers 2009 - Pkg. 1	22	13	4
2207-09	Plant 3 Clarifier Improvements Project	23	14	5
7242-09	Johnny Appleseed to Shoaff Park Trail, Phase II, Const.	24	14	6
	Water SRF - 2006	26	15	21
	Water SRF - 2006	27	19	14
2235-09	Woodrow / Vance Partial Sewer Separation	28	17	6
2236-09	Smith Roosevelt Ph. 2 Partial Sewer Separation	29	18	7
2184-09	Penn Ave. Area Sewer Separation	30	17	5
7246-09	Leesville Place (WO# 12133)	31	17	4
7233-09	W. Sherwood Terr. - Old Mill Rd. to Stratford Rd.	33	17	3
2168-08	Water Main Replacement - SR3 (Ludwig Rd to DuPont Rd)	36	22	7
2238-09	7100 Block Stellhorn Rd. Septic Elimination Project	37	22	8
August				
7255-09	Elzey Street / Maplewood Rd. CSR (WO# 12117)	42	27	7
7231-09	Cook Rd. Sidewalks - Bridgewater Dr. to Stonewall Run	45	27	6
96-8-26-09-1	Emergency Res: Barr and Duck Street	48	30	31.1
7254-09	Public Sidewalk Curb Ramp Package A - 2009	54	33	7
2253-09	Washington / Webster Partial Sewer Separation	57	33	6
2108-08	SR1 (Martin Ditch to Tonkel Rd.) Water Main Replacement	58	33	5
96-8-19-09-1	Resolution to Conduct a Fesasiblity Study	59		
329-09	1800-2100 E. Washington Blvd. Street Light Improvement	71	37	7
7249-09	Ley Rd. Phase III (WO# 12146)	72	38	8
	Water SRF - 2006	77	39	18
7253-09	On Call Arterial Concrete Repairs	78	43	12
7252-09	Mics. Construction Package B - 2009 (WO# 12092)	81	43	11
96-8-5-09-1	Amending the General Rules and Reg. of FWPCU	84	43	15
7250-09	Tillman Rd (South Anthony Blvd. to Hessen Cassel) CSR	85	43	10
2248-09	Woodrow / Vance Partial Sewer Separation Phase 2	88	42	9
September				
7258-09	Medians Greening Project (WO# 12108)	89	45	4
7257-09	Sidewalk Trip Hazard Elimination (WO# 12163)	98	45	3
	Water SRF - 2006	101	48	28
96-9-23-09	Quitclaim Deed to EIG Time Corners, LLC	102	52	8
96-9-23-09-1	Professional Services Agreement - Green Infrastructure	109	55	2
2176-09	Spy Run Interceptor CIPP	120	52	5
2213-09	MultiSmart Controller Replacement	121	52	7
2212-09	Plant 3 North Sludge Pumps Phase 2	122	52	6
2257-09	Norarrow Drive Water Main Installation (Parkview to Diebold)	123	57	5
2018-07	3 Rivers Filtration Plant Lime Sludge Pumping Improv Phase 2	124	61	5
2254-09	Warfield Area Manhole Rehabilitation	125	65	7
7210-08	3539 N. Washington Rd. (WO# 12088)	126	65	10
7256-09	On Call Local Concrete Street Repairs (WO# 12159)	129	65	9
	Water SRF - 2006	132	68	31

96-9-2-09-1	Sale of 2425 John St.	133	65	11
7247-09	Parnell Ave. Walks (WO# 12118)	139	65	8

Resolution #	Project Name	Page #	Minutes Page #	Item #
October				
	2009 Passenger Vehicle Lease - PR#9	1	3	17
2110-08	General CIPP 2009 - Package 3	2	1	4
2187-09	WPCP Digester Gas Handling Improvements	3	4	5
96-10-21-09-1	Rejection of RFP for Res. Solid Waste Collection	4	4	4
	Solid Waste Contract/Special Purchase Memo	6	10	18
	National Serv-All Extension Agreement	8	10	18
7073-09	Ardmore Ave.: Taylor St. to Jefferson - Clearing of ROW	12	9	6
2269-09	Real Time Monitoring of CUOF	13	9	7
	Sewer SRF - 2009 ARRA	14	11	29
November				
96-11-18-09-2	Fire Academy	15	14	4
	Water SRF - 2006	16	15	15
	Bid Form for sale of 2425 John Street - Smith-Trice	17	19	2
	Bid Form for sale of 2425 John Street - Lapsley	18	19	2
96-11-4-09-1	Partial Release of Sanity Sewer Easement - Dupont & Auburn	19	19	5
96-11-4-09-2	Transfer of Sanitary Sewer Ownership - Dupont & Auburn	23	19	6
December				
	City Utilities - 2010 Budget - Water, Sewer, Electric, Yard	27	28	
	City Utilities - 2010 Budget - Stormwater	28	28	
	2000 FWMBC - Fire Station #15 - Payment Request	29	54	16
2276-09	Headwater's Park East Storm Line Drainage Improvements	30	55	2
1978-07	Anthony Wayne Village Mount Vernon Park - Water Main Repl.	31	56	4
2232-09	Upper Ely Interceptor Phase II	33	56	3
	2009 Passenger Vehicle Lease - PR#10	34	58	15
	Amendment #1 - Fort Wayne and Hometown Engineering	35	61	10
2247-09	Win Avenue - Winchester Rd. Storm Sewer Improvements	36	64	2
330-09	Wyndemere Addition Street Light Improvements	38	60	6
96-12-02-09-3	Est. of CURF and Incentive Program for Septic Elimination	40	60	3
96-12-2-09-1	Intent to Sell Real Estate - 1125 Wells St.	43	60	4
	Sewer SRF - 2009 ARRA	47	62	22
	Water SRF - 2006	48	62	23
96-12-02-09-2	Improvements and Extensions of Waterworks	49	60	2
96-12-02-09-2	Digest Sheet	63	60	2
96-12-02-09-2	Formation of Ordinance	64	60	2

Resolution #	Project Name	Page #	Minutes Page #	Item #
January				
	SRF - 2005 Sewer Works (1/20/2009)	1	2	10
	Water SRF - 2006 (1/29/2009)	2	2	11
2173-2009	General CIPP Package #1 (I/I Reduction)	3	1	3
2167-2009	Wayne Trace (Oxford to McKee) Water Main Replacement	4	1	2
323-2009	Aboite Intersections 2009 - Phase 1 Street Light Improv.	7	4	3
	2005 FW Municipal Building Corp - Fire Stations 18 and 19	8	6	15
	Purchase Order for STAR Financial (2008)	9	8	5
2134-2009	Flood Control Program: Park-Thompson Area	12	10	2
96-1-07-09-1	Transfer of Sanitary Sewer Ownership	13	11	3
	Water SRF - 2006 (12/23/2008)	17	12	13
	Water SRF - 2006 (12/22/2008)	18	12	13
	Water SRF - 2005 (12/19/2010)	19		
February				
7217-2009	W. Foster Parkway Walk Reconstruction	20	17	5
2045-2007	Aboite Center Road (Jeff to Lutheran) - Water Main Ext.	22	17	4
7218-2009	Concrete Street Repairs - 2009 1st District	23	17	6
96-2-25-09-1	Police/Passenger Vehicle and Equip. Lease Financing	25	17	3
7216-2009	Park State East Addition, Phase IV	33	21	6
7215-2009	Tacoma Ave. Curb and Walk Improv. - 4800 Block	35	21	5
96-2-18-09-1	Purchase of 800 MHz Radio Comm. System	37	21	4
96-2-11-09-2	Flood Buyout Program - Fed. Grant HMGP 2008	43	23	3
2146-2008	Concordia Gardens Add. Kramer Ditch Improv.	45	23	2
	2005 FW Municipal Building Corp. - Fire Stations 18 and 19	46	27	21
	2008 Passenger Vehicle Lease	47	27	22
	Water SRF - 2006 (2/2/2009)	48	27	20
	SRF - 2005 Sewer Works (2/2/2009)	49	31	17
325-2009	Street Light Res. - 2009 CEDIT NBHD and Aboite Annex.	50	29	4
324-2009	Street Light Res. - Aboite Intersections 2009 Phase 2	51	29	3
96.2.4.09.1	Sale of Lot 368 Hanna Add	52	30	5
March				
7211-2009	Sanford and Miranda Drive - WO #12114	57	33	4
	Water SRF - 2006 (3/23/2010)	59	34	12
	Water SRF - 2006 (3/6/2009)	60	37	11
2155-2008	Inverness Lakes Add. Storm Drainage Improv.	61	38	2
2094-2008	CSO 052 Floatables Control	62	41	8
1980-2007	Lime Sludge Line Cleaning	63	41	7
7221-2009	Renfrew Drive Concrete Street Recon - WO #12098	64	41	6
7219-2009	Ransom Drive and Oak Trail Rd. - WO #12099	66	41	5
	Barrett Law Notice of Ass. Appeal - Katrina Kyles-Pace	68	42	21
96-3-4-09-1	Authorized Representative Resolution	70	44	3
96-3-04-09-2	Acceptance of Preliminary Engineering Report	71	44	4
327-2009	Street Light Res. - Brierwood Hills Addition	69	44	6
326-2009	Street Light Res. - 2009B CEDIT NBHD and Aboite Annex.	72	44	5
328-2009	Street Light Res. - Hunters Knoll Addition	73	44	7
7213-2009	Dewberry Drive - Concrete Street Recon. WO #12100	74	45	8
	SRF - 2005 Sewer Works (2/26/2010)	75	46	21
96-3-4-09-1, 2	Auth. Rep. Res., PER Acceptance, WWSRF Funding	SF	44	3,4

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Troendly – C. U. Accounting

DATE: December 19, 2006

RE: SRF (STATE REVOLVING FUNDS) - **2005**

Please include the following SRF payments with the City Utility vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 30,648.00** to be paid from 2005 State Revolving Funds. These expenses are for the Parkerdale Sanitary Sewer Project – W.O. 74750.

Draw #88	Geiger Developing & Tower Bank	$ 30,648.00
	Total SRF Payments	**$ 30,648.00**

Regina A. Kostoff, Chair

John Suarez, Member

Ryan Chasey, Member

January 3, 2007
Date

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TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: December 22, 2008

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments for the amount of **$91,026.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the St. Joe Dam Pump Station, the 3RFP Filter Valve Project and the 3RFP North Pump Building.

Draw #183, #185 & #188	CH2M Hill	$ 38,823
Draw #184	Donohue & Assoc.	13,295
Draw #186	City Utilities	4,131
Draw #187	HNTB Corp.	34,777
	Total Payments	**$ 91,026**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

January 7, 2009
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: December 23, 2008

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments for the amount of **$572,523.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the St. Joe Dam Pump Station, the 3RFP Filter Valve Project and the 3RFP North Pump Building.

Draw #189 & #191	Weigand Construction & Star Financial Bank	$ 282,269
Draw #190	Hagerman Construction	290,254
	Total Payments	**$ 572,523**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

January 7, 2009
Date

17

TRANSFER OF SANITARY SEWER OWNERSHIP

BOARD OF PUBLIC WORKS RESOLUTION NO. 96-1-07-09-1

[Cross Reference to Documents: Plat DR 55 pg. 528, 207011169, 2008049135 and 2008059031]

THIS TRANSFER OF SANITARY SEWER OWNERSHIP ("Transfer") is executed this 7th day of January, 2009, by and between Falstaff Properties, LLC, an Indiana limited liability company, and the City of Fort Wayne Board of Public Works ("City").

RECITALS

A. Falstaff Properties, LLC, is the owner ("Owner") of Lots 71 through 76 in Whites First Addition to the City of Fort Wayne, Indiana, and the vacated alley adjoining the west side of said Lots, pursuant to instruments recorded in the office of the Recorder of Allen County, Indiana, at the cross reference documents listed above ("Real Estate").

B. An existing City of Fort Wayne sanitary sewer main and related structures are located in the vacated alley right-of-way adjoining the west side of said Lots 71-76, which sanitary sewer facilities are more specifically described as follows:

A 12 inch diameter sanitary sewer main and related structures, beginning at structure P06-160 near the northwest corner of Lot 76 in Whites First Addition to the City of Fort Wayne, Indiana, running then south in the vacated alley along the west sides of Lots 76, 75, 74, 73, 72 and 71 in said Whites First Addition a distance of approximately 313 feet, and terminating at and including structure P06-161 near the southwest corner of Lot 71 in said Whites First Addition, as shown on the map attached to this Transfer as Exhibit "A".

C. Owner is the sole customer connected to the sanitary sewer facilities described in the preceding paragraph B, and is willing to accept ownership of, and to operate and maintain the sanitary sewer main and structure P06-161 subject to the terms of this Transfer.

D. City no longer requires and is willing to transfer its ownership, operation and maintenance responsibilities for the sanitary sewer main and structure P06-161 to Owner subject to the terms of this Transfer.

TRANSFER

1. City hereby transfers ownership, operation and maintenance responsibilities to Owner for the following described sanitary sewer pipe and related structure:

A 12 inch diameter sanitary sewer main and related structures, beginning at structure P06-160 near the northwest corner of Lot 76 in Whites First Addition to the City of Fort Wayne, Indiana, running then south in the vacated alley along the west sides of Lots 76, 75, 74, 73, 72 and 71 in said Whites First Addition a distance of approximately 313 feet, and terminating at and including structure P06-161 near the southwest corner of Lot 71 in said Whites First Addition, as shown on the map attached to this Transfer as Exhibit "A"; except, however, that the ownership of manhole P06-160 is not included in this Transfer and shall remain a part of the City's public sanitary sewer system.

2. City hereby reclassifies the sanitary sewer facilities transferred in the preceding paragraph 1 as a private sanitary sewer, and City will no longer own, operate, maintain, demolish or remove, and will not be responsible for any costs associated with the removal of said private sanitary sewer.

3. Owner is permitted to maintain its existing connection to the private sanitary sewer, but shall not otherwise use or permit the use of the private sanitary sewer without City's prior approval.

IN WITNESS WHEREOF, Owner and City have executed this Transfer of Sanitary Sewer Ownership as of the date set forth above.

FALSTAFF PROPERTIES, LLC, AN INDIANA LIMITED LIABILITY COMPANY

By: _____
Robert Current, Managing Member

ACKNOWLEDGEMENT

STATE OF Indiana)
) **SS**
COUNTY OF Allen)

Before me, a Notary Public, in and for said State and County, personally appeared the within named Falstaff Properties, LLC, an Indiana limited liability company, by Robert Current, Managing Member, Owner" herein, who being first duly sworn upon his oath states that he is the owner or authorized representative of the owner of the subject Real Estate described herein, and as such duly authorized to execute the foregoing Transfer of Sanitary Sewer Ownership, and acknowledged the same as his voluntary act and deed.

WITNESS my hand and seal this 16th day of October, 2008.

My Commission Expires: 12/09/08

Resident of Allen County

Tamara Bramstetter
Signature of Notary Public

Tamara Bramstetter
Printed Name

[Signatures continue on following page]

CITY OF FORT WAYNE BOARD OF PUBLIC WORKS

By: _____
Regina A. Kostoff, Chair

By: _____
John Suarez, Member

By: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a notary public in and for said State and County, personally appeared the within named Regina A. Kostoff, John Suarez and Kumar Menon as Members of the City of Fort Wayne Board of Public Works, "City" herein, and Marilyn Huth, Clerk of the Board, and acknowledged the execution of the foregoing Transfer of Sanitary Sewer Ownership as their voluntary act and deed.

WITNESS my hand and seal this 7th day of January, 2009.

My Commission Expires: _____

Resident of _____ County

_____
Signature of Notary Public

_____
Printed Name

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Cecilia E. Case, Associate City Attorney.

This instrument prepared by Cecilia E. Case, Associate City Attorney, Indiana License 18976-02.

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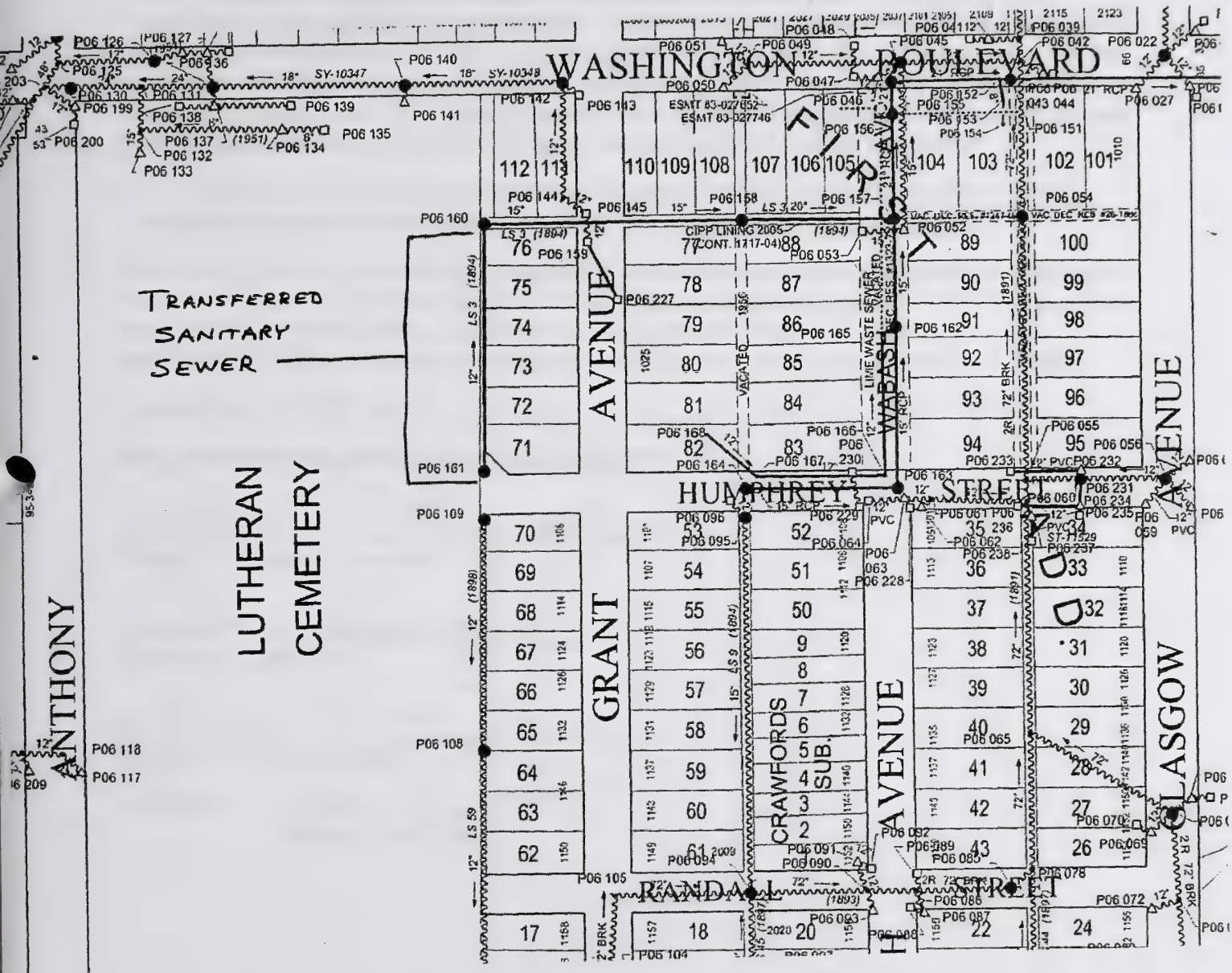
EXHIBIT "A"


WASHINGTON BOULEVARD
HUMPHREY STREET
RANDALL STREET
GRANT AVENUE
WABASH AVENUE
GLASGOW AVENUE
ANTHONY AVENUE
LUTHERAN CEMETERY
CRAWFORDS SUB.
TRANSFERRED SANITARY SEWER

IMPROVEMENT RESOLUTION NO. 2134 - 2009

Flood Control Program : Park – Thompson Area
WORK ORDER NO. 80539

RESOLVED BY THE BOARD OF STORMWATER MANAGEMENT OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Flood protection for the Park – Thompson Area neighborhood by constructing approximately 1320 feet of earthen levee along the east side of the St. Mary's River between the back yards of properties on the north side of Park Avenue and the north end of Windmere Drive. The improvements also include storm sewers on the protected side of floodwall/levee; flood fighting staging areas for pumping operations; sub-surface seepage barrier; pavement removal; new turnarounds and sidewalk and seeding restoration

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Stormwater Management that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 14th day of January, 2009.

BOARD OF STORMWATER MANAGEMENT

Robert P. Kennedy, Chairman

John Suarez, Member

Matthew A. Wirtz, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Approval of Request from City Utilities Data Control to increase the 2008 Purchase Order for STAR Financial Services for bill printing and mailing services for utility bills in the amount of $60,000.00.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Date: January 14, 2009

Regina A. Kostoff

Regina A. Kostoff, Chair

John Suarez

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth

Marilyn Huth, Clerk

Division of Utilities
Data Control

Interoffice Memo

Date: **January 7, 2009**

To: Board of Works Members

From: Sally Clem, Billing Systems Manager

Re: Board of Works approval to Increase the 2008 Purchase Order to STAR Financial Contracted Services for Bill Printing

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Fort Wayne City Utilities contracts with STAR Financial to print bills, ebill, mail bills, print and mail disconnect notices, print and mail low consumption letters, other printing and mailing of mass mailings (IE: Aqua Indiana), and process electronic payments. When monies were appropriated for the 2008 services, we did not anticipate that we would be charged for inserting bill stuffers, even though the charge is in the contract, as STAR hadn't charged us in the past. The cost is $0.01 per insert. STAR has been charging us for inserts since the first of the year, thus increasing our annual cost by $30,000. With the Utilities acquiring Aqua Indiana and sending low consumption letters to any customer with low or no consumption our customers, our costs have further increased. We are also seeing increases in the use of electronic billing and payments. Since we pay per item, these costs have increased. Consequently, our processing costs are higher than anticipated.

We are requesting a $60,000 increase in the 2008 PO to cover the processing cost for the rest of the year, which takes will take these costs over the $100,000 and requiring City Council approval.

We respectively request that you approve the additional increase. If you have any questions or concerns, please contact Phil GiaQuinta at 427-1334 or me at 427-1134.

Thank you for your consideration.

STAR FINANCIAL
Cost Comparisons
2007 vs 2008

	Total Items	Cost per Item	2007	Total Items Estimated	Cost per Item	2008
Print Utility Bill	916,360	0.0350	32,072.60	906,700	0.0350	31,734.50
Fold & Stuff	916,360	0.0200	18,327.20	906,700	0.0200	18,134.00
Disconnect -Print, Fold & Stuff	136,274	0.0550	7,495.07	142,000	0.0550	7,810.00
Electronic Bills	118,936	0.2700	32,112.72	138,000	0.2700	37,260.00
Electronic Bills Setup	4,855	1.5000	7,282.50	4,600	1.5000	6,900.00
Disconnect Notices	32,122	0.0550	1,766.71	36,600	0.0550	2,013.00
Low Consumption Letters	4,268	0.0550	234.74	11,500	0.0550	632.50
Star Pay Processing	88,749	0.0700	6,212.43	103,831	0.0700	7,268.17
Express Pay Processing	80,508	0.0700	5,635.56	80,107	0.0700	5,607.49
Insert Stuffer	-	0.0100	-	3,000,000	0.0100	30,000.00
			111,139.53			147,359.66
Programming Changes - Over 20 hrs per year	-	60.00	-	40	60.00	2,400.00
Total Cost of Bill Print, Ebilling, and Payment Processing			111,139.53			149,759.66

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: January 14, 2009

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,800.00 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Leepers Lawn Service	PR #49	790.00
Shade Trees Unlimited	PR #49	1,010.00
Total for Payment Requests		**$ 1,800.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

January 21, 2009
Date

STREET LIGHT RESOLUTION

NUMBER 323-09

ABOITE INTERSECTIONS 2009 PHASE 1

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install an underground street light system in **ABOITE MEADOWS; ASPEN VILLAGE; and FOREST RIDGE ADDITIONS**, in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded with **2009 CEDIT ANNEXATION** Funds. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Kumar Menon -Member

ATTEST:

Marilyn Huth – Clerk

Dated this 21st day of January, 2009

WAYNE TRACE (OXFORD TO MCKEE) – WATER MAIN REPLACEMENT RESOLUTION NO. 2167-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 2,528 LF of 6-inch water main, 3 fire hydrants, 9 valves, 34 services, and all other appurtenances and work as necessary for the water main replacement project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "WAYNE TRACE (OXFORD TO MCKEE) – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $190,086.00.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 28th DAY OF January, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY:
Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

WAYNE TRACE (OXFORD TO MCKEE) – WATER MAIN REPLACEMENT RESOLUTION NO. 2167-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 2,528 LF of 6-inch water main, 3 fire hydrants, 9 valves, 34 services, and all other appurtenances and work as necessary for the water main replacement project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "WAYNE TRACE (OXFORD TO MCKEE) – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $190,086.00.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 28th DAY OF January, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

WAYNE TRACE (OXFORD TO MCKEE) – WATER MAIN REPLACEMENT RESOLUTION NO. 2167-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 2,528 LF of 6-inch water main, 3 fire hydrants, 9 valves, 34 services, and all other appurtenances and work as necessary for the water main replacement project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "WAYNE TRACE (OXFORD TO MCKEE) – WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $190,086.00.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 28th DAY OF January, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: Kumar Menon
Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

General CIPP 2009 Package #1 (I/I Reduction)
RESOLUTION NO. 2173-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Sanitary sewer rehab by means of cured-in-place pipe (CIPP) of approximately 13,880 linear feet of small diameter (8" to 12") pipe.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, General CIPP 2009 Package #1 (I/I Reduction).

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $499,000.00.

APPROVED THIS 28th DAY OF January, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: January 19, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments for the amount of **$241,032.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the Belmont Addition Water Main Replacement, the St. Joe Dam Pump Station, the Lake Ave. Water Main Improvements and the 3RFP North Pump Building.

Draw #192	S & S Directional Boring	$ 6,413.00
Draw #193 & #196	CH2M Hill	55,430.00
Draw #194	Donohue & Assoc.	22,638.00
Draw #195	Hagerman Construction	84,529.00
Draw #197	Environmental Mngt. Specialists	832.00
Draw #198	HNTB Corp.	50,030.00
Draw #199	Weigand Construction	19,995.00
Draw #200	Bonar Group	1,165.00
	Total Payments	**$241,032.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

January 28, 2009
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: January 20, 2009

RE: SRF (STATE REVOLVING FUNDS) – **2005 Sewer Works**

Please include the following sewer SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$ 394,685.00.** These payments will be made using the 2005 Sewer State Revolving Funds. These expenses are for the WPCP Primary Clarifiers Project - W.O. 74742.

Draw #204	Barton Malow Co.	$313,437.00
Draw #205	CH2M Hill	34,225.00
Draw #206	Donohue & Assoc.	47,023.00
	Total payments	$394,685.00

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

January 28, 2009
Date

A RESOLUTION approving the sale of real estate owned by the City of Fort Wayne.

Resolution # 96.2.4.09.1

WHEREAS, The City of Fort Wayne Board of Public Works is listed as the owner of property located at 719 E. Wayne Street more particularly described as:

W 21 ½ FT LOT 368 HANNA ADD

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to sell the above-named property, following all applicable state statutes.

Signed this 4th day of February, 2009.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Michelle Wade, Acting Clerk
Marilyn Huth, Clerk

719 E. Wayne St.

****** REAL PROPERTY MASTER FILE CHANGE 2007 PAY 2008 ******
KEY NUMBER: 02-12-01-329-006.000-074 / 91-2948-5937

OWNER NAME/ADDRESS
HOUSING & NEIGHBORHOOD DEV SVCS INC

1 E MAIN ST RM 800
FORT WAYNE IN 46802 0000
LEGAL DESCRIPTION
W 21 1/2 FT LOT 368 HANNA ADD

TAX CODE = 5
PROP ADD HOUSE #: 00719 DIR: E
STREET : WAYNE ST
ZIP CODE: 46802
DEED: REF#: 04-24160 TRNDAT: 02252005
ACTIVITY DATES: 03292007 12142005
R LAND: 000000000 HOMESTEAD YR = 0000
NR LAND: 000000000 HOME FLAG: N - 00000
TL LAND: 000000000 ACRES: 0.00
R IMPV: 000000000 USE CODE: 640
NR IMPV: 000000000
TL IMPV: 000000000

DRAIN INFORMATION

NUMBER	ACRES	AMOUNT
01 0000000	0.00	0.00
02 0000000	0.00	0.00
03 0000000	0.00	0.00
04 0000000	0.00	0.00
05 0000000	0.00	0.00
06 0000000	0.00	0.00
07 0000000	0.00	0.00
08 0000000	0.00	0.00

XMPT	CTL#	BK#	PG1	PG2
000000000	00000	0	0	0
000000000		0		

000000000 RECONSTRUCTION INFO
000000000 00000000 0.00
00000000 0.00

719 E WAYNE ST

Legend

Closed Intersections
Closed Roads
Address Points
Businesses
Sections
County
Interstate
Municipal
Private
State
US Highway

Parcel Line

Alpha Tag

Claim Line
County Line
Geog Twp Line
Lot Line
Misc Line
Page Match Line
Parcel Line
Pol Corp Line
Pol Twp Line
Railroad Centerline
Railroad ROW
Road Centerline
Road ROW
Section Line
State Line
Sub Line 100
Sub Line 400
Unknown Linear
Water Line
Parcels
Subdivisions

iMap INTELLIGENT MAPPING ALLEN COUNTY

Allen County, Indiana

©2004 Board of Commissioners of the County of Allen

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos: Spring 2006 / Contours:1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

N W E S

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53

A RESOLUTION approving the sale of
real estate owned by the City of
Fort Wayne.

Resolution # 96-2-4-09-1

WHEREAS, The City of Fort Wayne Board of Public Works is listed as the owner of property located at 719 E. Wayne Street more particularly described as:

W 21 ½ FT LOT 368 HANNA ADD

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to sell the above-named property, following all applicable state statutes.

Signed this 4th day of February, 2009.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Michelle Nelson, Acting Clerk
Marilyn Huth, Clerk

54

719 E. Wayne St.

****** REAL PROPERTY MASTER FILE CHANGE 2007 PAY 2008 ******
KEY NUMBER: 02-12-01-329-006.000-074 / 91-2948-5937

OWNER NAME/ADDRESS
HOUSING & NEIGHBORHOOD DEV SVCS INC

1 E MAIN ST RM 800
FORT WAYNE IN 46802 0000
LEGAL DESCRIPTION
W 21 1/2 FT LOT 368 HANNA ADD

TAX CODE = 5
PROP ADD HOUSE #: 00719 DIR: E
STREET : WAYNE ST
ZIP CODE: 46802
DEED: REF#: 04-24160 TRNDAT: 02252005
ACTIVITY DATES: 03292007 12142005
R LAND: 000000000 HOMESTEAD YR = 0000
NR LAND: 000000000 HOME FLAG: N - 00000
TL LAND: 000000000 ACRES: 0.00
R IMPV: 000000000 USE CODE: 640
NR IMPV: 000000000
TL IMPV: 000000000

DRAIN INFORMATION

NUMBER	ACRES	AMOUNT
01 0000000	0.00	0.00
02 0000000	0.00	0.00
03 0000000	0.00	0.00
04 0000000	0.00	0.00
05 0000000	0.00	0.00
06 0000000	0.00	0.00
07 0000000	0.00	0.00
08 0000000	0.00	0.00

XMPT CTL# BK# PG1 PG2
000000000 00000 0 0 0
000000000 0
000000000 RECONSTRUCTION INFO
000000000 00000000 0.00
00000000 0.00

719 E. WAYNE ST

Legend

Closed Intersections

- Closed Roads
- Address Points
- Businesses
- Sections
- County
- Interstate
- Municipal
- Private
- State
- US Highway

Parcel Line

Alpha Tag

- Claim Line
- County Line
- Geog Twp Line
- Lot Line
- Misc Line
- Page Match Line
- Parcel Line
- Pol Corp Line
- Pol Twp Line
- Railroad Centerline
- Railroad ROW
- Road Centerline
- Road ROW
- Section Line
- State Line
- Sub Line 100
- Sub Line 400
- Unknown Linear
- Water Line
- Parcels
- Subdivisions

Allen County, Indiana

©2004 Board of Commissioners of the County of Allen

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos: Spring 2006 / Contours:1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

N W E S

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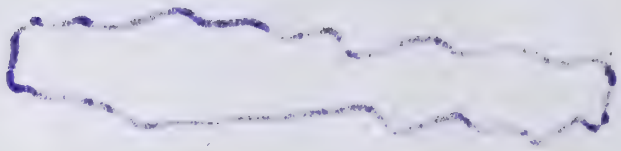

STREET LIGHT RESOLUTION

NUMBER 324-09

ABOITE INTERSECTIONS 2009 PHASE 2

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install an underground street light system in **SHEFFIELD WOODS & DELLS OF BITTERSWEET ADDITIONS; and 9100 GOLDSPUR DRIVE NORTH**, in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded with **2009 CEDIT ANNEXATION, 4th DISTRICT CEDIT, AND ASSOCIATION** Funds. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Kumar Menon -Member

ATTEST:

Michelle M. Nelson, Acting Clerk
Marilyn Huth – Clerk

Dated this 4th day of February , 20 09

STREET LIGHT RESOLUTION

NUMBER 325-09

2009 CEDIT NEIGHBORHOODS & ABOITE ANNEXATION

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install above ground wire street light systems in **AMBER RD. / US 24; HOMESTEAD RD. / US 24; CONSTITUTION DR. / MAGNAVOX WAY; GOSHEN RD. / MERCHANT RD.; GOSHEN RD. / FRITZ RD.; GOSHEN RD. / W. COOK RD.; W. COOK RD. / FRITZ RD.; 2500 CORTLAND AVE.; 4800 - 5100 IVY BROOK DR.; and 5000 - 5100 TRIER RD.**, in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded with **2009 CEDIT ANNEXATION and 1st & 3rd DISTRICT CEDIT** Funds. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Kumar Menon -Member

ATTEST:

Michelle Nelson, Actus Clerk

Marilyn Huth – Clerk

Dated this 4th day of February , 20 09

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: February 2, 2009

RE: SRF (STATE REVOLVING FUNDS) – **2005 Sewer Works**

Please include the following sewer SRF payment with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 164,027.00.** This payment will be made using the 2005 Sewer State Revolving Funds. This expense is for the WPCP Primary Clarifiers Project - W.O. 74742.

Draw #207	Barton Malow Co.	$164,027.00

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

2.4.09

Date

A9

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: February 2, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$112,314.00.** These payments are being made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the 3RFP Filter Valve Project and the 3RFP West Reservoir Improvements.

Draw #201	CH2M Hill	$ 2,376.00
Draw #202	Environmental Mngt. Specialists	2,706.00
Draw #203	Weigand Construction & Star Financial Bank	106,663.00
Draw #204	Donohue & Assoc.	569.00
	Total Payments	**$112,314.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

2-11-09
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: February 11, 2009

RE: 2008 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $8,014.00 to be paid from the proceeds of the 2008 Passenger Vehicle Lease Financing which are held in an escrow at JP Morgan Trust Company.

Payment Request #15

Mavron, Inc.	8,014.00
Total for Payment Requests	**$ 8,014.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

2-11-09
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: February 11, 2009

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,054.50 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Baker & Daniels	PR #50	1,054.50
Total for Payment Requests		**$ 1,054.50**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

2-11-09
Date

CONCORDIA GARDENS ADD. KRAMER DITCH IMPROVEMENTS
RESOLUTION NO. 2146-2008

RESOLUTION by the Board of Storm water Management of the City of Fort Wayne, Indiana, that:

Orders the removal of the damaged retaining walls, and the placement of 450 LF of 3'x3' Gabion, 50 CY of Rip-Rap, 20 CY of Shot Rock, and 500 LF of ditch bank re-grading and 3,500 SY of grading and seeding; all associated with the Kramer Ditch Improvements in the Concordia Gardens Addition.

Declares that said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "CONCORDIA GARDENS ADD. – KRAMER DITCH IMPROVEMENTS".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the "CONCORDIA GARDENS ADD. – KRAMER DITCH IMPROVEMENTS" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that the "CONCORDIA GARDENS ADD. – KRAMER DITCH IMPROVEMENTS" project is of public utility and benefit.

Declares the "CONCORDIA GARDENS ADD. – KRAMER DITCH IMPROVEMENTS" project does not require the acquisition of permanent property rights.

Declares the engineer's estimate of "CONCORDIA GARDENS ADD. – KRAMER DITCH IMPROVEMENTS" project's total cost is $150,000.

Declares the "CONCORDIA GARDENS ADD. – KRAMER DITCH IMPROVEMENTS" project will not change fees currently paid by property owners in the area.

ADOPTED THIS 11th **DAY OF** February **, 2009**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Robert P. Kennedy, Chairman

BY: _____
John Suarez, Member

BY: _____
Matthew A. Wirtz, Member

ATTEST: Michelle Dula, Acting Clerk
Marilyn Huth, Clerk

BOARD OF STORMWATER MANAGEMENT
CITY OF FORT WAYNE, INDIANA

RESOLUTION NUMBER 96.2.11.09.2

WHEREAS, the Board of Stormwater Management (the "Board") wishes to support the City's efforts through their Flood Buyout Program to purchase properties that are located in the floodplain and that have been consistently damaged by floods;

WHEREAS, the Board has set aside funds from storm rates to be used to purchase said properties in the Flood Buyout Program;

WHEREAS, the Board acknowledges that the City has access to federal grants;

WHEREAS, the Board desires that as many properties as possible be purchased through the Federal Grant Buyout Progam;

NOW THEREFORE, BE IT RESOLVED by the Board of Stormwater Management that, consistent with the Board's desire to maximize the funds available to purchase properties through their Flood Buyout Program:

1. The Board hereby contributes to the City the amount of $60,200 for the purpose of providing a local match of 25% for Federal Grant HMGP 2008.

   A. The funds will be used for the restricted purpose of Federal Grant Flood Buyout Programs.

Adopted and approved this 11th **day of** February**, 2009**

City of Fort Wayne
Board of Stormwater Management

By: Robert P. Kennedy

John Suarez, Member

Matthew Wirtz

ATTEST: Michelle Decker, Acting Clerk
Marilyn Huth, Clerk

BOARD OF STORMWATER MANAGEMENT
CITY OF FORT WAYNE, INDIANA

RESOLUTION NUMBER 96.2.11.09.2

WHEREAS, the Board of Stormwater Management (the "Board") wishes to support the City's efforts through their Flood Buyout Program to purchase properties that are located in the floodplain and that have been consistently damaged by floods;

WHEREAS, the Board has set aside funds from storm rates to be used to purchase said properties in the Flood Buyout Program;

WHEREAS, the Board acknowledges that the City has access to federal grants;

WHEREAS, the Board desires that as many properties as possible be purchased through the Federal Grant Buyout Progam;

NOW THEREFORE, BE IT RESOLVED by the Board of Stormwater Management that, consistent with the Board's desire to maximize the funds available to purchase properties through their Flood Buyout Program:

1. The Board hereby contributes to the City the amount of $60,200 for the purpose of providing a local match of 25% for Federal Grant HMGP 2008.

   A. The funds will be used for the restricted purpose of Federal Grant Flood Buyout Programs.

Adopted and approved this 11th **day of** February**, 2009**

City of Fort Wayne
Board of Stormwater Management

By: Robert P. Kennedy

John Suarez, Member

Matthew Wirtz

ATTEST: Michelle Nitz, Acting Clerk
Marilyn Huth, Clerk

44

Purchase of 800 MHz Radio Communication System

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Communication (Radio Shop) shall furnish all labor, materials, supplies, and equipment required to perform the following:

> Purchase and install 800 MHz radio system for the WPCM facility and most of its rolling stock. 1 control station, 46 mobile units, 10 desktop units, 10 hand-held units will be purchased

Said improvements with all their appurtenances shall be purchased and installed in accordance with the specifications from the manufacturer.

Declares the cost of the said purchase shall be paid by the funds from the Fort Wayne Utilities 2008 Sewer Revenue.

Declares the project is necessary for the safety of its employees and their ability to communicate with office staff

Declares that unless current system is replaced the utility will loose its support in keeping the older frequency operational.

Declares that this project is of public utility benefit.

Declares the manufacturer's quote of the purchase cost is **$158,997.00**.

APPROVED THIS 18th **DAY OF** February **, 2009.**

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
Kumar Menon, Member

BY: _____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

MOTOROLA

February 11, 2009

Mr. Mike Reichard
City of Fort Wayne – Communications Department
1103 E Coliseum Blvd.
Fort Wayne, IN 46805

Dear Mike,

Motorola is pleased to provide you with the following mobile and portable radio quotations for your review and consideration.

W.P.C.

Qty.	Description	Price Each	Extended Price
10	XTS 2500 Portable - Model 1.5 1-3 Watts 764-870MHZ, 96 Channels, 6x12 Display, Astro Digital CAI, P25 Trunking, SmartZone, OmniLink, Impres NiMH Battery.	**$2,390.00**	**$23,900.00**
10	IMPRES Single Unit Rapid Charger	**$124.00**	**$1,240.00**
10	LEATHER CASE W/SNAP BELT LOOP & T-STRAP	**$45.00**	**$450.00**
30	XTL 2500 Mobile - Dash Mount 10-35 Watts 764-870MHZ, 512 Channels, Astro Digital CAI, P25 Trunking, SmartZone, OmniLink, Enhanced Digital ID Display, 3DB Gain Antenna, HSN4032 13 watt Audio.	**$2,996.00**	**$89,880.00**
1	XTL 2500 Control Station - Dash Mount 10-35 Watts 764-870MHZ, 512 Channels, P25 Trunking, SmartZone/OmniLink operation, 3DB Gain Antenna, Control Station Power Supply, Speaker and Control Station Palm Mic.	**$3,266.00**	**$3,266.00**
1	XTL 5000 Consolette Control Station 10-35 Watts 764-870MHZ, 512 Channels, P25 Trunking, SmartZone,OmniLink, Enhanced Digital ID Display, Digital Remote Control, Power Supply, .	**$4,575.00**	**$4,575.00**
10	MC3000 DIGITAL DESKSET includes Local Control, Handset with push-to-talk, Desk to Wall Mountable Housing, Internal Dispatch Microphone, Front Panel PTT Capability, 2 x 20 Character Backlit Display, 110 / 220V in-line Power Supply, Instruction Manual and Black Housing.	**$380.00**	**$3,800.00**
2	Digital Junction Box and cable	**$525.00**	**$1,050.00**
	Total W.P.C.		**$128,161.00**

Storm Water Maintenance

Qty.	Description	Price Each	Extended Price
16	XTL 2500 Mobile - Dash Mount 10-35 Watts 764-870MHZ, 512 Channels, Astro Digital CAI, P25 Trunking, SmartZone, OmniLink, Enhanced Digital ID Display, 3DB Gain Antenna, HSN4032 13 watt Audio.	**$2,996.00**	**$47,936.00**
	Total Storm Water Maintenance		**$47,936.00**

Motorola, Inc., *Government and Public Safety*
12490 Spire View Drive Fishers, IN 46037

Summary

Department	Total
Total W.P.C.	$128,161.00
Total Storm Water Maintenance	$47,936.00
Grand Total	$176,097.00

Taxes: Exempt **Terms:** Net 30 days

The pricing and terms are per the State of Indiana QPA 9167. If you would like to purchase this equipment, you may send purchase orders to:

Motorola, Inc.
Mike Durnwald
12490 Spire View Drive
Fishers, IN 46037

If you would like any additional information, please do not hesitate to contact me. Thank you for your interest in Motorola's Government Mobility Solutions.

Sincerely,
Motorola, Inc.,
Michael Durnwald
Senior Account Manager – Government and Public Safety
Office: 317-596-0525 *Mobile:* 574-370-5221
Email: mike.durnwald@motorola.com

Motorola Promotional Discount Offer

XTL / XTS Series Radios

Guidelines:

1) **Motorola must receive Purchase Orders by 3/27/09.**
2) **Order must be shipped by 4/3/09.**
3) **Promotional discount does not apply to Rebanding Models or Upgrades.**
4) **Promotional discount does not apply to Consolletes.**
5) **Promotional discount is in addition to QPA 9167 discounts.**

Radio Model	Discount Amount
XTS5000	$400.00
XTS2500	$300.00
XTS1500	$200.00
XTL5000	$400.00
XTL2500	$300.00
XTL1500	$200.00

MOTOROLA

MOTOROLA

February 11, 2009

Mr. Mike Reichard
City of Fort Wayne – Communications Department
1103 E Coliseum Blvd.
Fort Wayne, IN 46805

Dear Mike,

Motorola is pleased to provide you with the following mobile and portable radio quotations for your review and consideration. This quotation includes the Motorola Promotional discount.

The terms of the Promotional discount are:

1. ***Purchase orders must be received by March 27, 2009***
2. ***Radios must ship by April 3, 2009.***

W.P.C.

Qty.	Description	Price Each	Extended Price
10	XTS 2500 Portable - Model 1.5 1-3 Watts 764-870MHZ, 96 Channels, 6x12 Display, Astro Digital CAI, P25 Trunking, SmartZone, OmniLink, Impres NiMH Battery.	**$2,090.00**	**$20,900.00**
10	IMPRES Single Unit Rapid Charger	**$124.00**	**$1,240.00**
10	LEATHER CASE W/SNAP BELT LOOP & T-STRAP	**$45.00**	**$450.00**
30	XTL 2500 Mobile - Dash Mount 10-35 Watts 764-870MHZ, 512 Channels, Astro Digital CAI, P25 Trunking, SmartZone, OmniLink, Enhanced Digital ID Display, 3DB Gain Antenna, HSN4032 13 watt Audio.	**$2,696.00**	**$80,880.00**
1	XTL 2500 Control Station - Dash Mount 10-35 Watts 764-870MHZ, 512 Channels, P25 Trunking, SmartZone/OmniLink operation, 3DB Gain Antenna, Control Station Power Supply, Speaker and Control Station Palm Mic.	**$2,966.00**	**$2,966.00**
1	XTL 5000 Consolette Control Station 10-35 Watts 764-870MHZ, 512 Channels, P25 Trunking, SmartZone,OmniLink, Enhanced Digital ID Display, Digital Remote Control, Power Supply, .	**$4,575.00**	**$4,575.00**
10	MC3000 DIGITAL DESKSET includes Local Control, Handset with push-to-talk, Desk to Wall Mountable Housing, Internal Dispatch Microphone, Front Panel PTT Capability, 2 x 20 Character Backlit Display, 110 / 220V in-line Power Supply, Instruction Manual and Black Housing.	**$380.00**	**$3,800.00**
2	Digital Junction Box and cable	**$525.00**	**$1,050.00**
	Total W.P.C.		**$115,861.00**

Storm Water Maintenance

Qty.	Description	Price Each	Extended Price
16	XTL 2500 Mobile - Dash Mount 10-35 Watts 764-870MHZ, 512 Channels, Astro Digital CAI, P25 Trunking, SmartZone, OmniLink, Enhanced Digital ID Display, 3DB Gain Antenna, HSN4032 13 watt Audio.	**$2,696.00**	**$43,136.00**
	Total Storm Water Maintenance		**$43,136.00**

Summary

Department	Total
Total W.P.C.	**$115,861.00**
Total Storm Water Maintenance	**$43,136.00**
Grand Total	**$158,997.00**

Taxes: Exempt **Terms:** Net 30 days

The pricing and terms are per the State of Indiana QPA 9167. If you would like to purchase this equipment, you may send purchase orders to:

Motorola, Inc.
Mike Durnwald
12490 Spire View Drive
Fishers, IN 46037

If you would like any additional information, please do not hesitate to contact me. Thank you for your interest in Motorola's Government Mobility Solutions.

Sincerely,
Motorola, Inc.,
Michael Durnwald
Senior Account Manager – Government and Public Safety
Office: 317-596-0525 *Mobile:* 574-370-5221
Email: mike.durnwald@motorola.com

IMPROVEMENT RESOLUTION NO. 7215-09

TACOMA AVE. CURB AND WALK IMPROVEMENT - 4800 BLOCK
WORK ORDER NO. 12106

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: Tacoma Ave. from Pettit Ave. to Maple Grove Ave. by reconstructing the curbs, sidewalks, yard walks, drive approaches, and curb ramps as needed.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for curbs, sidewalks, yard walks, and drive approaches shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for curb ramps, drainage structures, and curbing on the center island shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 18th day of February, 2009

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Tacoma Ave. - Curb and Sidewalk Improvements (4800 Block) RES. NO.: 7215-09

DATE: 3/31/2009 W.O. NO.: 12106

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Curb	1450	LF	5.00	7250.00
2.	Removal of Concrete	495	SY	6.00	2970.00
3.	Concrete Curb Type II-B	1450	LF	12.00	17400.00
4.	Concrete Sidewalk (4")	340	SY	24.00	8160.00
5.	Concrete Wingwalk & Ramps (6")	45	SY	40.00	1800.00
6.	Concrete Pavement for Residential Drive (6")	100	SY	28.00	2800.00
7.	Bed Course Material	135	TON	10.00	1350.00
8.	Backfill Behind Curb (Borrow)	100	TON	10.00	1000.00
9.	Top Soil	100	TON	15.00	1500.00
10.	HydroSeeding With HydroStick or Equivalent Polymer for Erosion Control	580	SY	3.00	1740.00
11.	Tree Removal: (over 24" to 36") 30" size	4	EA	750.00	3000.00
12.	Stump Removal	1	EA	100.00	100.00
13.	Tree Fertilization	5	EA	45.00	225.00
14.	Water Valves (Curb-Box) Furnish & Adjust to Grade (If Broken / Deteriorated)	3	EA	40.00	120.00
15.	Water Valves (Curb-Box) Adjusted to Grade	10	EA	60.00	600.00
16.	Inlet, Type I-C	1	EA	1100.00	1100.00
17.	Castings Adjusted to Grade	1	EA	100.00	100.00
18.	Construction Signs, Type A With Construction Warning Light Type A	6	EA	80.00	480.00
19.	Maintance of Traffic	1	LS	2500.00	2500.00
20.	Mobilization / Demobilization	1	LS	2500.00	2500.00
21.	Sediguerd Inlet Protection	5	EA	70.00	350.00
22.	Tree Protection (See detail in special provisions)	8	EA	100.00	800.00
23.	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'X4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	6	EA	300.00	1800.00

SUB-TOTAL: 59645.00
E&I @25% 14911.25

TOTAL: $74,556.25

Revised: 02-13-04

IMPROVEMENT RESOLUTION NO. 7216-09

PARK STATE EAST ADDITION, PHASE IV
WORK ORDER NO. 12091

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: From 3627 Utah Drive to the East Terminus of Idaho Drive, Iowa Court from Idaho Drive to South Terminus and Colorado Court from Idaho Drive to South Terminus. New construction of sidewalks & drive approaches and hydroseeding with polymer restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for SIDEWALKS AND DRIVE APPROACHES shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement then the cost for shall be assessed 100% on the City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceeding and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 18th day of February, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

S:\Public Works\Transportation Engineering Share\Project Files\Active\Park State East, Phase IV - 12091 - 7216-09\Improvement resolution - Park State E. Addt. Sidewalk Ph IIIn.doc

ESTIMATE OF QUANTITIES

PROJECT: Park State East, Phase IV RES. NO.: 7216-09

DATE: 3/26/09 W.O. NO.: 12091

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	1850	SY	6.50	12025.00
2.	Concrete Sidewalk (4")	1200	SY	24.00	28800.00
3.	Concrete Pavement For Residential Drives (6")	650	SY	27.00	17550.00
4.	Bed Coarse Material	290	TON	15.00	4350.00
5.	Water Valve, Adjusted To Grade	5	EA	30.00	150.00
6.	Casting Adjust To Grade	2	EA	120.00	240.00
7.	Tree Removal	1	EA	1200.00	1200.00
8.	New Sugar Maple (2 1/2" DIA.)	1	EA	500.00	500.00
9.	Tree Root Grinding	7	EA	40.00	280.00
10.	Fertilize Tree	7	EA	45.00	315.00
11.	Top Soil	270	TON	15.00	4050.00
12.	Hydroseeding With Polymer (Erosion Control)	2050	SY	3.00	6150.00
13.	Sediguard Inlet Protection Device	6	EA	100.00	600.00
14.	Construction Sign Type "A"	8	EA	75.00	600.00
15.	Mobilization and Demobilization	1	LS	3840.50	3840.50
16.	Maintenance of Traffic	1	LS	3072.40	3072.40
17.	Utility Allowance	1	LS	3000.00	3000.00

SUB-TOTAL: 86722.90
E&I @25% 21680.73

TOTAL: **$108,403.63**

Revised: 02-13-04

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RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF
FORT WAYNE, INDIANA

RESOLUTION NO. 96-2-25-09-1

WHEREAS, the City of Fort Wayne needs to lease various vehicles and items of capital equipment for use by several departments of the City of Fort Wayne for continued effective operations; and

WHEREAS, the Board of Public Works has, in the past, generally coordinated such leasing and has let bids therefore; and

WHEREAS, numerous bids have been let for the acquisition of various vehicles and items of capital equipment and the Common Council is expected to approve the acquisition of said various vehicles and items of capital equipment; and

WHEREAS, sufficient revenues are available from the City's General Fund and various other City department funds to make lease rental payments on a timely basis as required for the leasing of said various vehicles and equipment items; and

WHEREAS, notices will be published requesting proposals from lessors to acquire the various vehicles and items of capital equipment and to lease the same to the City, pursuant to the terms and conditions contained in the form of lease; and

WHEREAS, the proposed lease provides for fair and reasonable rental and other equitable terms and conditions and, further, that the execution of said lease will permit the use and acquisition of said various vehicles and items of capital equipment within the present financial capabilities of the City and therefore same is in the public interest; and

WHEREAS, the Common Council designates the Board of Public Works as leasing agent for the City of Fort Wayne, Indiana, for the transactions herein contemplated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Board of Public Works will receive bids from potential lessors for the lease of certain various vehicles and items of capital equipment on **MARCH 11, 2009.**

SECTION 2. The Board of Public Works, after reviewing all of the bids submitted to it pursuant to the Notice to Bidders and the Request for Proposal, will designate the lessor of those various vehicles and items of capital equipment listed on the bids received from potential lessors for the lease of certain various vehicles and items of capital equipment listed on the attached Exhibit "A" on **MARCH 18, 2009**. The exact lessor purchase cost for the various vehicles and items of capital equipment contained on the attached Exhibit "A" shall be determined in accordance with bidding procedures of the City of Fort Wayne, if not so previously determined.

DATED: February 25, 2009

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

EXHIBIT "A"

NOTICE TO BID
POLICE/PASSENGER VEHICLE AND EQUIPMENT LEASE FINANCING
02/17/09

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that sealed bids **and proposals** (as described below) will be received by the **Board of Public Works at its office in Room 420, City-County Building until 8:30 a.m. on WEDNESDAY 3/11/09** for the following:

Police/Passenger Vehicle/Street-Heavy and Equipment Lease Financing
5-year Lease(s)
with option to purchase
vehicles and items of capital equipment
for use by the City of Fort Wayne

The bid should be prepared for a "Non-qualified" entity under the Small Issuer Exemption tax code provisions. No bid may be withdrawn without the written consent of the Board of Public Works for a period of five (5) days after the bid opening, within which time the Board will act to choose the successful bidder. All bids shall be accompanied by a bid bond or certified check (out of state bidders must use a certified check or an Indiana surety), in the amount of FIVE percent (5%) of the bid, which check or bid shall be made payable to the City of Fort Wayne, Indiana. Should a successful bidder withdraw his or her bid, the Board may declare the bid deposit as having been forfeited and collect said amount as liquidated damages.

Each bidder must include, in a clear and concise format, the following items in their bid:

1) The cash purchase price without regard to the lease agreement for all of the vehicles and capital equipment items listed below.
2) The total lease rental price based on a 5-year lease period with funds to be available on or before March 30, 2009 and lease payments commencing no sooner than August 15, 2009. Bids should be submitted with semi-annual payment schedules.
3) The total amount of interest and the lease-financing factor ("interest rate") used to determine the amount of the payments must be clearly indicated.
4) Payment amortization schedules based on the above information must be submitted with the bids.
5) A provision in the lease providing for an option to purchase the vehicles and capital equipment items.
6) A schedule of the option purchase price and at each time when an option may be executed.
7) A schedule of the amount of the lease rental payment which shall be credited to the lease purchase option.
8) A provision in the lease stating that it is subject to annual appropriation.
9) Evidence of financial responsibility.

The vehicles, equipment items, and their estimated unit cost are detailed below.

ITEM	APPROX UNIT COST	APPROX QUANTITY	NOT TO EXCEED TOTAL COST	VENDOR(s)
CHEV IMPALA POLICE CRUISERS (45) Including equipment	$ 33,762	45	$ 1,519,290	KELLEY CHEVROLET/DEHAVEN (vehicles)
UNMARKED (3) Including equipment	$ 29,305	3	$ 87,915	KELLEY CHEVROLET/DEHAVEN (vehicles)
Mobile Data Terminals			$ 391,968	
Van	$ 24,674	1	$ 24,674	
4 x 4 SUV	$ 31,793	1	$ 31,793	
Sedans (Undercover)	$ 21,000	2	$ 42,000	

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EXHIBIT "A"

ITEM	APPROX UNIT COST	APPROX QUANTITY	NOT TO EXCEED TOTAL COST	VENDOR
ANIMAL CONTROL:				
Sedan Including equipment	$ 24,000	1	$ 24,000	
FIRE:				
Mobile Data Terminals			$ 141,544	
Refurbished Van	$ 20,000	1	$ 20,000	
PARKING CONTROL:				
Pick Up Truck w/equipment	$ 27,000	1	$ 27,000	
FLOOD:				
Used Golf Cart			$ 5,000	
FLEET:				
15 Passenger Van	$ 21,350	1	$ 21,350	
WEIGHTS & MEASURES:				
Sedan	$ 26,000	1	$ 26,000	
STREET LIGHTING:				
Pickup	$ 30,000	1	$ 30,000	
Snow Blade Kit			$ 11,000	
TRANSPORTATION ADMIN:				
4 x 2 Pickup	$ 17,000	1	$ 17,000	
TRAFFIC ENGINEERING:				
Ford Escape Hybrids	$ 35,000	2	$ 70,000	
BOW ADMIN:				
4 x 4 Pick Up	$ 17,500	1	$ 17,500	
STREET DEPARTMENT:				
Heavy Duty Trucks	$ 80,000	3	$ 240,000	
Street Sweeper			$ 120,000	
CONTINGENCY			$ 31,966	
	TOTAL		**$ 2,900,000**	

All necessary approvals of the City's Common Council for the acquisition of the above-listed items are forthcoming.

The date for the anticipated cash requirements for this leasing arrangement is on or before March 30, 2009.

The Board of Public Works reserves the right to reject any and all bids for failure to comply with applicable laws and or with the instructions to Bidders. The Board of Public Works also reserves the right to waive any defect in any bid.

Board of Public Works

Regina A. Kostoff, Chairman
John Suarez, Member
Kumar Menon, Member

ATTEST: Marilyn Huth, Clerk
Publish 2/27 & 3/6/09 in both Fort Wayne Newspapers

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RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF
FORT WAYNE, INDIANA

RESOLUTION NO. 96-2-25-09-1

WHEREAS, the City of Fort Wayne needs to lease various vehicles and items of capital equipment for use by several departments of the City of Fort Wayne for continued effective operations; and

WHEREAS, the Board of Public Works has, in the past, generally coordinated such leasing and has let bids therefore; and

WHEREAS, numerous bids have been let for the acquisition of various vehicles and items of capital equipment and the Common Council is expected to approve the acquisition of said various vehicles and items of capital equipment; and

WHEREAS, sufficient revenues are available from the City's General Fund and various other City department funds to make lease rental payments on a timely basis as required for the leasing of said various vehicles and equipment items; and

WHEREAS, notices will be published requesting proposals from lessors to acquire the various vehicles and items of capital equipment and to lease the same to the City, pursuant to the terms and conditions contained in the form of lease; and

WHEREAS, the proposed lease provides for fair and reasonable rental and other equitable terms and conditions and, further, that the execution of said lease will permit the use and acquisition of said various vehicles and items of capital equipment within the present financial capabilities of the City and therefore same is in the public interest; and

WHEREAS, the Common Council designates the Board of Public Works as leasing agent for the City of Fort Wayne, Indiana, for the transactions herein contemplated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Board of Public Works will receive bids from potential lessors for the lease of certain various vehicles and items of capital equipment on **MARCH 11, 2009.**

SECTION 2. The Board of Public Works, after reviewing all of the bids submitted to it pursuant to the Notice to Bidders and the Request for Proposal, will designate the lessor of those various vehicles and items of capital equipment listed on the bids received from potential lessors for the lease of certain various vehicles and items of capital equipment listed on the attached Exhibit "A" on **MARCH 18, 2009**. The exact lessor purchase cost for the various vehicles and items of capital equipment contained on the attached Exhibit "A" shall be determined in accordance with bidding procedures of the City of Fort Wayne, if not so previously determined.

DATED: February 25 2009

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth

Marilyn Huth, Clerk

EXHIBIT "A"

NOTICE TO BID
POLICE/PASSENGER VEHICLE AND EQUIPMENT LEASE FINANCING
02/17/09

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that sealed bids **and proposals** (as described below) will be received by the **Board of Public Works at its office in Room 420, City-County Building until 8:30 a.m. on WEDNESDAY 3/11/09** for the following:

Police/Passenger Vehicle/Street-Heavy and Equipment Lease Financing
5-year Lease(s)
with option to purchase
vehicles and items of capital equipment
for use by the City of Fort Wayne

The bid should be prepared for a "Non-qualified" entity under the Small Issuer Exemption tax code provisions. No bid may be withdrawn without the written consent of the Board of Public Works for a period of five (5) days after the bid opening, within which time the Board will act to choose the successful bidder. All bids shall be accompanied by a bid bond or certified check (out of state bidders must use a certified check or an Indiana surety), in the amount of FIVE percent (5%) of the bid, which check or bid shall be made payable to the City of Fort Wayne, Indiana. Should a successful bidder withdraw his or her bid, the Board may declare the bid deposit as having been forfeited and collect said amount as liquidated damages.

Each bidder must include, in a clear and concise format, the following items in their bid:

1) The cash purchase price without regard to the lease agreement for all of the vehicles and capital equipment items listed below.
2) The total lease rental price based on a 5-year lease period with funds to be available on or before March 30, 2009 and lease payments commencing no sooner than August 15, 2009. Bids should be submitted with semi-annual payment schedules.
3) The total amount of interest and the lease-financing factor ("interest rate") used to determine the amount of the payments must be clearly indicated.
4) Payment amortization schedules based on the above information must be submitted with the bids.
5) A provision in the lease providing for an option to purchase the vehicles and capital equipment items.
6) A schedule of the option purchase price and at each time when an option may be executed.
7) A schedule of the amount of the lease rental payment which shall be credited to the lease purchase option.
8) A provision in the lease stating that it is subject to annual appropriation.
9) Evidence of financial responsibility.

The vehicles, equipment items, and their estimated unit cost are detailed below.

ITEM	APPROX UNIT COST	APPROX QUANTITY	NOT TO EXCEED TOTAL COST	VENDOR(s)
CHEV IMPALA POLICE CRUISERS (45) Including equipment	$ 33,762	45	$ 1,519,290	KELLEY CHEVROLET/DEHAVEN (vehicles)
UNMARKED (3) Including equipment	$ 29,305	3	$ 87,915	KELLEY CHEVROLET/DEHAVEN (vehicles)
Mobile Data Terminals			$ 391,968	
Van	$ 24,674	1	$ 24,674	
4 x 4 SUV	$ 31,793	1	$ 31,793	
Sedans (Undercover)	$ 21,000	2	$ 42,000	

EXHIBIT "A"

ITEM	APPROX UNIT COST	APPROX QUANTITY	NOT TO EXCEED TOTAL COST	VENDOR
ANIMAL CONTROL:				
Sedan Including equipment	$ 24,000	1	$ 24,000	
FIRE:				
Mobile Data Terminals			$ 141,544	
Refurbished Van	$ 20,000	1	$ 20,000	
PARKING CONTROL:				
Pick Up Truck w/equipment	$ 27,000	1	$ 27,000	
FLOOD:				
Used Golf Cart			$ 5,000	
FLEET:				
15 Passenger Van	$ 21,350	1	$ 21,350	
WEIGHTS & MEASURES:				
Sedan	$ 26,000	1	$ 26,000	
STREET LIGHTING:				
Pickup	$ 30,000	1	$ 30,000	
Snow Blade Kit			$ 11,000	
TRANSPORTATION ADMIN:				
4 x 2 Pickup	$ 17,000	1	$ 17,000	
TRAFFIC ENGINEERING:				
Ford Escape Hybrids	$ 35,000	2	$ 70,000	
BOW ADMIN:				
4 x 4 Pick Up	$ 17,500	1	$ 17,500	
STREET DEPARTMENT:				
Heavy Duty Trucks	$ 80,000	3	$ 240,000	
Street Sweeper			$ 120,000	
CONTINGENCY			$ 31,966	
	TOTAL		**$ 2,900,000**	

All necessary approvals of the City's Common Council for the acquisition of the above-listed items are forthcoming.

The date for the anticipated cash requirements for this leasing arrangement is on or before March 30, 2009.

The Board of Public Works reserves the right to reject any and all bids for failure to comply with applicable laws and or with the instructions to Bidders. The Board of Public Works also reserves the right to waive any defect in any bid.

Board of Public Works

Regina A. Kostoff, Chairman
John Suarez, Member
Kumar Menon, Member

ATTEST: Marilyn Huth, Clerk
Publish 2/27 & 3/6/09 in both Fort Wayne Newspapers

IMPROVEMENT RESOLUTION NO. 7218 - 09

CONCRETE STREET REPAIRS - 2009 1st DISTRICT
WORK ORDER NO. 12097

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Holiday Ln. from Allenwood Dr. west 100'and Allenwood Dr. from a point 75' north of Holiday Ln. to a point 75' south of Holiday Ln. by reconstructing the concrete pavement as needed. Brandy Chase Cove from Maplecrest Rd. to the western terminous by reconstructing the concrete pavement as needed and installing underdrains. Simcoe Dr. from Alverez Dr. south 200' by reconstructing the concrete pavement as needed and installation of new curb ramps.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 25th day of February, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Concrete Street Repairs - 2009 1st District RES. NO.: 7218 -09

DATE:2/19/2009 W.O. NO.: 12097

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete Pavement	1535	SY	6.00	9210.00
2.	Removal of Concrete	50	SY	5.00	250.00
3.	Cement Concrete Pavement,Plain 6" Incl."type I-A curb"	1535	SY	25.00	38375.00
4.	Concrete Wingwalk And Curb Ramps	20	SY	40.00	800.00
5.	Concrete Sidewalk (4")	30	SY	23.00	690.00
6.	Adjust Casting To Grade	2	EA	150.00	300.00
7.	Compacted aggregate for base "O" - #53	265	TON	15.00	3975.00
8.	Bed Coarse Material	5	TON	14.00	70.00
9.	Backfill For Behind Curbs	65	TON	10.00	650.00
10.	Top Soil	50	TON	15.00	750.00
11.	Hydroseeding with Polymer (Erosion Control)	305	SY	3.50	1067.50
12.	Construction Signs Type "A"	11	EA	50.00	550.00
13.	Standard Barricade, Type III with Lights & Signs	8	EA	100.00	800.00
14.	Standard Barricade, Type III	12	EA	70.00	840.00
15.	Underdrain, 6" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	260	LF	8.00	2080.00
16.	Seddiguard Inlet Protection	2	EA	70.00	140.00
17.	Mobilization and Demobilization	1	LS	5000.00	5000.00
18.	Maintenance of Traffic	1	LS	4000.00	4000.00
19.	Utility Adjustments	1	LS	2000.00	2000.00

SUB-TOTAL: 71547.50
E&I @25% 17886.88

TOTAL: $89,434.38

Revised: 02-13-04

24

ABOITE CENTER ROAD (JEFFERSON BLVD TO LUTHERAN HOSPITAL) – WATER MAIN EXTENSION
RESOLUTION NO. 2045-2007

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 3,486 LF of 12-inch water main, 5 fire hydrants, 11 valves, and all other appurtenances and work as necessary for the water main extension project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "ABOITE CENTER ROAD (JEFFERSON TO LUTHERAN HOSPITAL) – WATER MAIN EXTENSION"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $385,000.00.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 25th DAY OF February, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY:
Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7217-09

W. FOSTER PARKWAY WALK RECONSTRUCTION
WORK ORDER NO. 12109

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: W. Foster Parkway from Old Mill Rd. to Kimmel Dr. including the adjoining property on Old Mill Rd. and Kimmel Dr. by reconstructing the existing sidewalks, yard walks, drive approaches, and curb ramps as needed.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for sidewalks, yard walks, and drive approaches shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for curb and curb ramps shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 25th day of February, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: W. Foster Parkway Walk Reconstruction
Old Mill Rd. to Kimmel Dr.

RES. NO.:7217-09

W.O. NO.:12109

DATE:6/9/09

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	1480	SY	6.00	8880.00
2.	Removal of Curb	85	LF	7.00	595.00
3.	Concrete Sidewalk (4")	1240	SY	24.00	29760.00
4.	Concrete Pavement for Residential Drive (6")	240	SY	28.00	6720.00
5.	Concrete Wingwalk & Ramps (6")	14	SY	40.00	560.00
6.	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'X4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	2	EA	300.00	600.00
7.	Concrete Curb Type II-B	70	LF	12.00	840.00
8.	Water Valves (Curb-Box) Adjusted to Grade (Undistributed Quantity)	5	EA	30.00	150.00
9.	Casting Type "C" Furnished & Adjusted to Grade	1	EA	450.00	450.00
10.	Bed Course Material	250	TN	10.00	2500.00
11.	Top Soil	160	TN	15.00	2400.00
12.	Hydroseeding With Polymer (Erosion Control)	1000	SY	2.50	2500.00
13.	Fertilize Trees	41	EA	45.00	1845.00
14.	Construction Signs, Type A	4	EA	75.00	300.00
15.	Maintenance of Traffic	1	LS	3000.00	3000.00
16.	Mobilization / Demobilization	1	LS	3000.00	3000.00

SUB-TOTAL:	64100.00
E&I @25%	16025.00
TOTAL:	**$80,125.00**

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: February 26, 2009

RE: SRF (STATE REVOLVING FUNDS) – **2005 Sewer Works**

Please include the following sewer SRF payment with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payment in the amount of **$ 66,545.00.** This payment will be made using the 2005 Sewer State Revolving Funds. This expense is for the WPCP Primary Clarifiers Project - W.O. 74742.

Draw #208	Barton Malow Co.	$66,545.00

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

March 4, 2009
Date

IMPROVEMENT RESOLUTION NO. 7213-09

Dewberry Drive – Concrete Street Reconstruction
WORK ORDER NO. 12100

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Dewberry Drive from Evergreen Lane to 344' East by removing and replacing concrete pavement and drive approach with subsurface drains castings and restoration .

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 4th day of March, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: DEWBERRY DRIVE CONCRETE STREET REPAIRS

RES. NO.: 7213-09
W.O. NO.:12100

BID DATE:

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	2,200.00	2,200.00
2.	Removal of Pavement	903	SY	6.50	5,869.50
3.	Inlet Protection Devices for Stormwater and Erosion Control	3	EA	75.00	225.00
4.	Underdrain, (6" Perforated Plastic) (Type "K")	570	LF	6.00	3,420.00
5.	Cement Concrete Pavement, Plain 6" (7 Bag Mix W/ Superplasticizer, including J bolts or #5 deformed bars)	880	SY	27.00	23,760.00
6.	Type O Compacted Aggregate for Base;No.53,or No.8 (For Pavement Subbase & Subsurface Drains)	196	TON	16.00	3,136.00
7.	Concrete Pavement for Residential Drive	23	SY	28.00	644.00
8.	Top Soil	50	TON	15.00	750.00
9.	Water Valves Adjusted to Grade (undistributed)	2	EA	50.00	100.00
10.	Water Valves Furnish & Adjusted to Grade (undistributed)	1	EA	125.00	125.00
11.	Mulched Seeding	170	SY	2.00	340.00
12.	Maintenance of Traffic	1	LS	2,200.00	2,200.00
13.	Construction Sign Type "A"	3	EA	50.00	150.00
14.	Type III Barricade	3	EA	100.00	300.00
15.	Type III Barricade With Sign	3	EA	125.00	375.00
16.	Casting Type "C" Furnished & Adjusted to Grade	3	EA	450.00	1,350.00
17.	Utility Allowance (If Ordered)	1	LS	2,500.00	2,500.00
18.					
19.					
20.					

SUB-TOTAL:		**$47,444.50**
E&I @25%	$	11,861.13
TOTAL:		**$59,305.63**

STREET LIGHT RESOLUTION

NUMBER 328-09

(B. L. # 50054R)

HUNTERS KNOLL ADDITION

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install an underground street light system in HUNTERS KNOLL ADDITION, in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded with 3rd DISTRICT CEDIT, and the real estate abutting on said improvements. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

Assessments cannot be waived and are to be paid in full by the due date per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Kumar Menon -Member

ATTEST:

Marilyn Huth – Clerk

Dated this 4th day of March , 20 09

STREET LIGHT RESOLUTION

NUMBER 326-09

2009B CEDIT NEIGHBORHOODS & ABOITE ANNEXATION

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install an underground street light systems in **CAMBRIDGE OAKS; COVINGTON LAKE ESTATES; and BITTERSWEET MOORS ADDITIONS**, in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded with **2009 CEDIT ANNEXATION, 1st DISTRICT CEDIT, and ASSOCIATION** Funds. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Kumar Menon -Member

ATTEST:

Marilyn Huth – Clerk

Dated this 4th day of March , 2009

STREET LIGHT RESOLUTION

NUMBER 327-09

(B. L. # 50053R)

BRIERWOOD HILLS ADDITION

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install an underground street light system in BRIERWOOD HILLS ADDITION, in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded with 2009 CEDIT ANNEXATION, 4th DISTRICT CEDIT, and the real estate abutting on said improvements. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

Assessments; if deferred, are to be paid in monthly or annual installments with interest at a rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Kumar Menon -Member

ATTEST:

Marilyn Huth – Clerk

Dated this 4th day of March , 2009

MISCELLANEOUS RESOLUTION NO. 96-3-04-09-2

RESOLUTION: ACCEPTANCE OF PRELIMINARY ENGINEERING REPORT

WHEREAS, the Board of Public Works of the City of Fort Wayne, Allen County, Indiana, has caused a Preliminary Engineering Report, PER, dated January 2009, to be prepared by the City; and

WHEREAS, said plan has been presented to the public at a public hearing held on March 4, 2009 at the City/County Building, for their comments; and

WHEREAS, the Board of Public Works finds that there was not sufficient evidence presented in objection to the recommended project in the Preliminary Engineering Report.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The City of Fort Wayne Preliminary Engineering Report dated January 2009 be approved and adopted by the Board of Public Works; and

2. Said PER be submitted to the State Revolving Loan Fund Program for review and approval.

Passed and adopted by the City of Fort Wayne's Board of Public Works this 4th day of March 2009, at its regularly scheduled meeting.

FORT WAYNE BOARD OF PUBLIC WORKS
BY AND THROUGH ITS BOARD MEMBERS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

MISCELLANEOUS RESOLUTION NO. 96-3-4-09-1
RESOLUTION: AUTHORIZED REPRESENTATIVE RESOLUTION

WHEREAS, the City of Fort Wayne, Indiana Board of Public Works, herein called the Applicant, has plans for a municipal water pollution control project to meet State and Federal regulations, such as the NPDES discharge limitations, and the community intends to proceed with the construction of such works:

WHEREAS, the Board of Public Works has adopted this Resolution dated March 4, 2009.

NOW, THEREFORE, BE IT RESOLVED by the City of Fort Wayne Board of Public Works, the governing body of said community, that:

1. Kumar Menon, Director of Public Works and Utilities, Matthew Wirtz, Deputy Director of Engineering, and Len Poehler, Deputy Director of Finance for the City of Fort Wayne be authorized to make application for an SRF Loan and provide the State Revolving Loan Fund Program such information, data and documents pertaining to the loan process as may be required, and otherwise act as the authorized representative of the community.

2. The Applicant agrees to comply with the Indiana Finance Authority, State of Indiana and Federal requirements as they pertain to the SRF.

3. That two certified copies of the resolution be prepared and submitted as part of the Applicant's Preliminary Engineering Report.

PASSED AND ADOPTED by the City of Fort Wayne's Board of Public Works this 4th day of March, 2009.

FORT WAYNE BOARD OF PUBLIC WORKS
BY AND THROUGH ITS BAORD MEMBERS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

Approved by State Board of Accounts for City of Fort Wayne, 2007

City of Fort Wayne

BARRETT LAW
1 E MAIN ST RM 420
FORT WAYNE, IN 46802-1804

BL-0007441

NOTICE OF ASSESSMENT

Account No. 30225R036

KYLES-PACE KATRINA

3621 UTAH DR
FORT WAYNE, IN46815

Approved Date: 10/29/2008
Barrett Number: 30225R
Resolution Number: 7188
Property Key: 02-08-26-327-004.000-072

3621 UTAH DR
PARK STATE EAST SEC 3 LOT 106

Your assessment is now due and must be paid by cash, check, money order, or bonded. Assessments under $100.00 cannot be bonded.

DUE ON OR BEFORE 11/28/2008

*Delinquent fees will be added after the due date.

PROJECT TYPE	# OF UNITS	UNIT COST	ASSESSED AMOUNT	MISC. CHARGES	ADJUSTMENT	TOTAL
	60.00	$13.09000000	$785.40	$0.00	$0.00	$785.40
	60.00	$13.09000000	$785.40	$0.00	$0.00	$785.40
					LATE FEE	$19.63
					Please Pay This Amount	**$1,590.43**

This is a VALID RECEIPT WHEN STAMPED PAID BY COLLECTING OFFICER. Please see that descriptions are correct. When paying by mail, this statement must be returned with a self-addressed, stamped envelope if a receipt is desired.

PHONE: 427-1105 **Make Check Payable To: CITY OF FORT WAYNE BARRETT LAW**

Waiver and Demand of Property Owners

The undersigned against whose real estate an assessment was made on the above approved date according to Barrett No. 30225R, per description given in consideration for having the right to pay said assessments in installments, hereby agree each for himself that he will not make any objections to said assessments for illegality or irregularity, and that he will pay the same at 5.00% interest thereon.

Any property owner who has signed a waiver to pay his/her assessment in deferred installments may, at any time, pay up his/her entire assessment, on the condition that he/she at the same time, pay all interest due on a minimum of the first 1/5 of the installments and the balance of principal due.

If any account is six months or more delinquent, the total assessment (all installments of principal and interest) are considered to be in default and the entire account will be certified to the Allen County Auditor for tax sale before June 1st. of the calendar year following delinquency.

PLEASE SELECT ONE OF THE FOLLOWING OPTIONS

ONE PAYMENT PER YEAR FOR 10 YEARS ✓ ONE PAYMENT PER MONTH FOR 10 YEARS ____

If you wish to bond this assessment and return waiver by mail, you must sign this "waiver" section by the above due date. Signatures of all recorded property owners are required and must be notarized if mailed. If the waiver is signed by at least one owner and witnessed in the Barrett Law Office, notarization is not required; however, all owner's signatures must be on the waiver.

Signature: Katrina Pace

Signature: _____

Installment notices to be mailed to: _____

_____

Subscribed and sworn before me this 5th day of March 20 09

Timothy Marquardt — Timothy Marquardt
PRINTED NAME OF NOTARY — NOTARY'S SIGNATURE

Allen — My Commission Expires 9-22-14
COUNTY OR RESIDENCE

69

APPEAL TO THE BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair
John Suarez, Member
Kumar Menon, Member

Please accept this letter of appeal regarding the assessment on 3621 Utah Drive under Resolution # 7188 which was due on November 28, 2008.

I(we) neglected to return the signed waiver on time because:

I was sick with bronchitis and I neglected to get it done.

I(we) would like your permission to be allowed to sign the waiver to pay the assessment along with delinquent interest over 10 years at 5 % interest.

Sincerely,

Katrina Pace
Signature

Katrina Pace
Printed Name

Signature

Printed Name

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

March 11, 2009
Date

IMPROVEMENT RESOLUTION NO. 7219-09

RANSOM DRIVE AND OAK TRAIL ROAD
WORK ORDER NO. 12099

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Ransom Drive (from Kings Crossing to 400' East) and Oak Trail Road (from Dupont Road to 300' North) by Concrete Street Repairs.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 11th day of March, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Ransom Drive - Kings Crossing to 400' East & Oak Trail Rd. - Dupont Rd. to 300' North

RES. NO.: 7219-09

DATE:2/19/2009

W.O. NO.:12099

BID DATE: 4-1-09

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete Pavement (include curb)	1824	SY	6.50	11,856.00
2	Removal of Concrete	132	SY	6.00	792.00
3	Cement Concrete pavement, Plain 6" (Type 1-A curb included)	1824	SY	27.00	49,248.00
4	Concrete Pavement for Residential Drive (6")	66	SY	30.00	1,980.00
5	Concrete Wingwalk and Ramps	46	SY	45.00	2,070.00
6	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2' x 4' Composite Wetset Tactile warning Surface Units (Brick Red in Color)	4	EA	300.00	1,200.00
7	Concrete Sidewalk, 4"	22	SY	25.00	550.00
8	Type "O" Compacted Aggregate for Base, No. 53	458	TON	16.00	7,328.00
9	Bedcourse Material	16	TON	13.00	208.00
10	Top Soil	118	TON	15.00	1,770.00
11	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	192	SY	6.00	1,152.00
12	1" Expansion Joint	27	LF	12.00	324.00
13	Underdrain, 6" Perforated Plastic, Group K Pipe (includes #8 stone)	871	LF	8.00	6,968.00
14	Storm Water Curb Opening Casting (6") (Neenah R-3262-3)	1	EA	100.00	100.00
15	Casting Type "A" Furnished and Adjusted to Grade	1	EA	360.00	360.00
16	Casting Type "C" Furnished and Adjusted to Grade	2	EA	400.00	800.00
17	Adjust Casting To Grade	3	EA	200.00	600.00
18	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	5	EA	100.00	500.00
19	Fertilize Tree	3	EA	60.00	180.00
20	Construction Sign Type A with Warning Light Type A	6	EA	75.00	450.00
21	Standard Barricade, Type III-B with Signs and Warning Light	10	EA	150.00	1,500.00
22	Maintenance of Traffic	1	LS	3,500.00	3,500.00
23	Mobilization / Demobilization	1	LS	4,400.00	4,400.00
24	Utility Allowance	1	LS	1,200.00	1,200.00

SUB-TOTAL:	99,036.00
E&I @25%	24,759.00
TOTAL:	123795.00

IMPROVEMENT RESOLUTION NO. 7221-09

RENFREW DRIVE CONCRETE STREET RECONSTRUCTION
WORK ORDER NO. 12098

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Renfrew Drive by removing and replacing the concrete from approximately 500' east of St. Joe Road to the Intersection of Norward Lane.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 11th day of March, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Renfrew Drive **RES. NO.: 7221-09**
DATE:3/5/2009 **W.O. NO.: 12098**
BID DATE: 4/1/09

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete Pavement (Including Curb Type "I-A")	1280	SY	7.00	8960.00
2	Cement Concrete Pavement, Plain, 6 inches, (7 Bag Mix W/Superplasticizer)(including Curb Type "I-A" & "J" type Bolts)	1280	SY	32.00	40960.00
3	Removal of Concrete	122	SY	5.50	671.00
4	Bed Coarse	28	TON	12.50	350.00
5	Concrete for Residential Drive (6")	122	SY	32.00	3904.00
6	Type "O" Compacted Aggregate for Base, No. 53	270	TON	12.50	3375.00
7	Type "III" Barricade (One 12' or two 6')	1	EA	85.00	85.00
8	Type "III" Barricade with sign, "Road Closed, Local Traffic Only" (one 12' or two 6' barricades)	3	EA	100.00	300.00
9	Adjust Water Service Box to Grade (Undistributed)	1	EA	25.00	25.00
10	Type "A" Signs	4	EA	50.00	200.00
11	Topsoil	60	TON	14.00	840.00
12	Hydroseeding, with tack additive, for erosion and sediment control (Additive to be "FINN" additve system "Hydrostik" or approved equal)	166	SY	2.50	415.00
13	Mobilization & Demobilization	1	LS	2500.00	2500.00
14	Maintenance of Traffic	1	LS	3000.00	3000.00
15	Adjust Casting To Grade	1	EA	200.00	200.00
16	Inlet Protection Devises for Stormwater and Erosion Control ("Sediguard" Inlet Protection Device or Approved Equal)	2	EA	35.00	70.00
17					0.00

SUB-TOTAL:	65855.00
E&I @25%	16463.75
TOTAL:	**82318.75**

LIME SLUDGE LINE CLEANING
RESOLUTION NO. 1980-2007

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the pigging of the 10" lime sludge line from Pemberton Avenue to the Lime Sludge Beds located off of Lake Ave & Reed Rd (approximately 10,500 LF).

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Lime Sludge Line Cleaning.**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is a NTE value of **$24,600.00**.

APPROVED THIS 11th DAY OF March, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
Kumar Menon, Member

BY: _____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

CSO 052 FLOATABLES CONTROL
CONTRACT/RESOLUTION NUMBER 2094-2008

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the Construction of a floatables control screening facility designed to accommodate a maximum flow rate of 20 cfs discharging to the 48-inch outfall pipe. The project must meet the requirements of the City's LTCP by screening a minimum of ½-inch size and larger solids and floatables.

Further, the work includes furnishing all equipment, materials, supplies, labor, and related items for the installation of the CSO Floatables Control Facility including the concrete flow diversion structure, 2 vortex screening units, submersible duplex underflow lift station, approximately 245 L.F. of 36" gravity RCP, manholes, approximately 60 L.F. of 8" PVC force main, telemetry and controls systems, site work, concrete pavement replacement, electrical, restoration, clean-up, and all other work required for a complete installation.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **CSO 052 FLOATABLES CONTROL.**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is **$1,200,000**.

APPROVED THIS 11th DAY OF March, 2008.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: _____
Kumar Menon, Member

BY: John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

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RESOLUTION NO. 2155-2008

INVERNESS LAKES ADDITION STORM DRAINAGE IMPROVEMENTS

WHEREAS, a stormwater drainage problem exists at Inverness lakes in the City of Fort Wayne, Indiana; and

WHEREAS, Water Resources determined that this is a public problem and a repair is warranted; and

WHEREAS, Water Resources has developed an improvement plan to repair the stormwater drainage problem; and

WHEREAS, the improvement involves the installation of 740 LF of 12"-30" RCP, 2 Manholes, 1-Inlet structure, and all required finished grading, seeding and restoration; and

WHEREAS, the Water Resources Dept. invited twelve (12) Contractors to submit invitational bids for said improvements.

WHEREAS, the Water Resources Dept. and has received said invitational bids for said improvements as follows:

All Star Construction & Exc., Inc.	$61,990.00
Bercot, Inc.	$59,651.00
Crosby Excavating Inc.	$54,307.50
Earth Construction	No Bid
Everett Drainage & Exc., Inc.	$58,904.45
Fleming Excavating Inc.	$46,620.90
Geiger Developing	No Bid
Kurtz Excavating	No Bid
Land Construction Corp.	**$44,241.15**
Pyramid Excavating Inc.	$51,916.50
Scheidleman Excavating Inc.	$48,768.00
Underground Contractors Inc.	$48,300.00
Engineer's Estimate	*$53,450.00*

NOW, THEREFORE, the Board of Stormwater Management hereby declares a drainage improvement is necessary and requests the Purchasing Department to issue a Purchase Order to **Land Construction Corp. in the amount of $44,241.15.**

Adopted this 18th day of March 2009.

BOARD OF STORMWATER MANAGEMENT

Robert P. Kennedy, Chairman

John Suarez, Member

Matthew A. Wirtz, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: March 6, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$389,773.00.** These payments are being made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the Bellmont Addition Water Main Replacement, 3RFP North Pump Building, 3RFP Filter Valve Project, the St. Joe Dam Pump Station, the Lake Ave. Water Main Improvement and the 3RFP West Reservoir Improvements.

Draw #205	S & S Directional Boring	$ 30,975.00
Draw #206 & #214	Donohue & Assoc.	32,175.00
Draw #207	Hagerman Construction	210,244.00
Draw #208	City Utilities – Ft. Wayne Municipal Waterworks	3,306.00
Draw #209	CH2M Hill	5,766.00
Draw #210	HNTB Corp.	7,070.00
Draw #211 & #213	Weigand Construction & Star Financial Bank	86,993.00
Draw #212	Environmental Mngt. Specialists	2,625.00
Draw #215	Bonar Group	10,619.00
	Total Payments	**$389,773.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

March 18, 2009
Date

60

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: March 23, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$92,038.00.** These payments are being made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the 3RFP North Pump Building, the St. Joe Dam Pump Station and the Lake Ave. Water Main Improvement.

Draw #216	City Utilities – Ft. Wayne Municipal Waterworks	$ 31,745.00
Draw #217 & #218	CH2M Hill	37,945.00
Draw #219	HNTB Corp.	22,348.00
	Total Payments	$ 92,**038.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

March 25, 2009
Date

59

IMPROVEMENT RESOLUTION NO. 7211-09

SANFORD AND MIRADA DRIVE
WORK ORDER NO. 12114

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Concrete Street Repairs, Drive Approaches, Sidewalks And Hydroseed Restoration

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 25th day of March, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: SANFORD DRIVE & MIRADA DRIVE RES. NO.: 7211-09

DATE: MARCH 18, 2009 W.O. NO.: 12114

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete	479	SY	4.50	2155.50
2	Removal of Pavement	2000	SY	4.50	9000.00
3	Common Excavation, For Poor Soils	50	CY	11.00	550.00
4.	Cement Concrete Pavement, Plain (6") Including Inlet Control	2000	SY	23.00	46000.00
5	Concrete Sidewalk (4")	66	SY	23.00	1518.00
6	Concrete Pavement for Residential Drive (6") 2" Conduit Waived	392	SY	23.00	9016.00
7	Concrete Wingwalk & Ramps	21	SY	40.00	840.00
8	ADA Solutions or Armor-Tile,Approved Equal Replaceable 2x4 Composit Wetset Tactile Warning Surface Units (Brick Red in Color)	2	EA	220.00	440.00
9	Top Soil	78	TON	15.00	1170.00
10	Hydro-Seeding,	575	SY	2.50	1437.50
11	Expansion Joint with Load Transfer, 1" Inch	27	LF	12.00	324.00
12	Backfill Behind Curb (Borrow)	65	TON	5.00	325.00
13	Casting, Type C, Furnished & Adjusted to Grade	2	EA	400.00	800.00
14	Water Valves (Valve-Box and Curb Box) Adjusted to Grade	2	EA	45.00	90.00
15	Water Valves (Valve-Box) Furnish & Adjust to Grade (If Broken / Deteriorated)	1	EA	100.00	100.00
16	Tree Fertlization	3	EA	55.00	165.00
17	Type "O" Compacted Aggregate for Base, No.53	630	TON	14.00	8820.00
18	Construction Signs, Type A	5	EA	80.00	400.00
19	Standard Barricade, Type III - B, With Sign	6	EA	150.00	900.00
20	Standard Barricade, Type II, or Plastic Barrels Type C Const. Warning Light	33	EA	28.00	924.00
21	Bed Course Material	125	TON	10.00	1250.00
22	Maintenance of Traffic	1	LS	3000.00	3000.00
23	Mobilization / Demobilization	1	LS	4000.00	4000.00

SUB-TOTAL: 93225.00
E&I @19% 17712.75

TOTAL: $110,937.75

Resolution #	Project Name	Page #	Minutes Page #	Item #
April				
7229-09	Resurfacing Package B-2009	1	2	8
2193-09	Filtration Plant East Pump Room Windows	4	2	7
	Water SRF - 2006	5	3	18
7225-09	Elmer Ave. and Villa Park Ct. (WO# 12104)	6	5	4
7228-09	Holton Ave. Concrete Street Repairs	9	10	7
7209-09	Resurfacing Package A-2009 (WO# 12096)	12	10	6
	Water SRF - 2006	16	12	24
7224-09	Chickasaw Dr / Blackhawk Lane (WO# 12094)	17	15	6
2166-08	Cook Road Water Main Extension	19	15	5
96-4-8-09-1	Emergency Resolution: 933 and 921 Columbia	23	15	4
96-2-25-09-1	Award: 2009 Police/Passenger Vehicle Lease - SunTrust	27	17	5
2189-09	West Foster Pkwy Water Main Extension	29	17	4
7226-09	Maple Terr. Pkwy. / Parliament Place CSR (WO# 12095)	30	17	3
May				
96-5-27-09-1	Fort Wayne's Rain Garden Incentive Program	32	21	3
2183-09	Cambridge and Trinity Spot Drainage	34	20	2
7220-09	6th District Neighborhood Sidewalk Repairs (WO# 12093)	35	21	4
7236-09	Caribou Drive CSR (WO# 12111)	38	21	5
7239-09	March 2009 Flood Clay Removal (WO#12132)	41	21	6
96-5-20-09-1	Sewer Works Revenue Bonds	44	24	3
S-09-05-13	Special Ordinance G-12-09 - Sewage Works	46		
2106-09	Rain Garden Program - Demonstration Gardens	76	24	5
2102-09	Braun Drain - Woodbine Ave. Storm Drainage Improvements	77	28	2
2106-09	Rain Garden Program - Demonstration Gardens	78	24	5
	Water SRF - 2006	79	26	17
	2009 Passenger Vehicle Lease - SunTrust	80	26	19
	2002 FWMBC Transportation Building Project	81	26	18
96-5-13-09-1	Infrastructure Surety - The Village at Glenbrook	82	29	5
7235-09	Old Mill Road Phase III (WO# 12107)	84	29	4
7223-09	Jackson St. & Wilt St. Intersection Restoration (WO# 12110)	87	29	3
7230-09	Surface Milling for Street Dept. (WO# 12122)	90	35	7
2156-09	Evard Rd. / St. Joe Rd. Storm Drainage Improvements	93	33	3
96-5-6-09-2	Emergency Res: Carroll Rd. Sanitary Sewer Replacement	94	35	6
96-5-6-09-1	Recommending Rate Increase for Water Pollution Control	95	35	5
	2005 FWMBC - Fire Stations 18 & 19	100	35	22
	2009 Passenger Vehicle Lease - Civil City vendor payments	101	37	22
June				
2160-08	Kruse Branch #2 Storm Drainage Improvements	102	42	2
	2009 Passenger Vehicle Lease - SunTrust (PR #5)	103	40	19
96-6-17-09-2	Upper Ely Interceptor Phase I	104	45	20
7244-09	Southtown Centre Trail, Phase I (WO# 12016)	118	44	6
96-6-17-09-1	Amendment to Emergency Res - Carroll Rd. SSR	122	43	4
7240-09	Towpath Trail Phase I, Construction (WO #11966)	125	49	6
7214-09	Public Sidewalk Curb Ramp Package B-2009 (WO# 12103)	128	43	5
7203-08	Calhoun Streetscape & Conversion (WO# 12082)	132	49	8
7227-09	North Anthony Trail Spur, Construction (WO# 12089)	137	49	5
7240-09	Towpath Trail Phase I, Construction (WO #11966)	140	49	6
7241-09	Coliseum Blvd/St Rd 930 Trail Spur, Construction	144	49	7
	Water SRF - 2006	147	50	19
	2009 Passenger Vehicle Lease - SunTrust (PR #4)	148	50	18
96-6-3-09-1	Emergency Res: South Anthony Blvd. CSR	149	53	5

2174-09	2009 Manhole Coating	153	53	4

IMPROVEMENT RESOLUTION NO. 7226-09

MAPLE TERRACE PKWY / PARLIAMENT PL CONCRETE STREET REPAIR
WORK ORDER NO. 12095

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Parliament Place from Lahmeyer Road to Queensbury Drive by reconstructing the concrete pavement as needed and installation of new curb ramps. Maple Terrace Parkway from Stellhorn Road to Briarcliff Drive by reconstructing the concrete pavement as needed.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 1st day of April, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Maple Terrace Pkwy / Parliament Pl. Concrete Street Repair RES. NO.:7226-09

DATE:3/26/09 W.O. NO.:12095

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	39	SY	5.00	195.00
2.	Removal of Pavement	2245	SY	6.00	13470.00
3.	Concrete Sidewalk (4")	10	SY	25.00	250.00
4.	Concrete Wingwalk & Ramps (6")	25	SY	40.00	1000.00
5.	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'X4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	5	EA	300.00	1500.00
6.	Cement Concrete Pavement, Plain (6") Incl. "Type" 1-A Curb	2245	SY	24.00	53880.00
7.	Curb Turnout To Concrete Gutter	2	EA	160.00	320.00
8.	Type "O" Compacted Aggregate for Base, No.53	400	TN	15.00	6000.00
9.	Bed Course Material	10	TN	10.00	100.00
10.	Backfill Behind Curb (Borrow)	75	TN	5.00	375.00
11.	Top Soil	75	TN	18.00	1350.00
12.	Hydroseeding with HydroStik or equivalent for Erosion Control	400	SY	3.00	1200.00
13.	Sedigaurd Inlet Protection	4	EA	70.00	280.00
14.	Castings Adjusted to Grade	1	EA	175.00	175.00
15.	Casting Type "C" Furnished & Adjusted to Grade	1	EA	450.00	450.00
16.	Construction Signs, Type A	9	EA	50.00	450.00
17.	Standard Barricade, Type III	8	EA	75.00	600.00
18.	Standard Barricade, Type III with Lights & Signs	8	EA	100.00	800.00
19.	Maintenance of Traffic	1	LS	3500.00	3500.00
20.	Mobilization / Demobilization	1	LS	4000.00	4000.00

SUB-TOTAL: 89895.00
E&I @20% 17979.00

TOTAL: $107,874.00

Revised: 02-13-04

AWARD: Resolution #96-2-25-09-1, 2009 Police/Passenger Vehicle Equipment Lease Financing to SunTrust Equipment Finance & Leasing Corporation.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Date: April 1, 2009

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST:
Marilyn Huth, Clerk

2009 Police/Passenger Vehicle/Street Heavy and Equipment Lease Financing

Principal Amount: **$ 2,900,000**

SEMI-ANNUAL PAYMENTS

	BID BOND INCL	INT RATE	RATE EXPIR	CARRYING CHARGES 3/21/08-8/15/08	# OF PYMTS	STATED SEMI-ANNUAL PAYMENT	CALCULATED TOTAL PAYMENTS	STATED TOTAL PAYMENTS	TOTAL PYMTS INCL CARYNG CHRGS
SunTrust Equipment Finance & Leasing	**YES**	**2.900%**	**3/30/2009**	**$0.00**	**10**	**$312,638.96**	**$3,126,389.60**	**$3,126,389.60**	**$3,126,389.60**
STAR Equipment Finance	YES	3.380%	3/30/2009	$0.00	10	$316,518.23	$3,165,182.30	$3,165,182.30	$3,165,182.30

Equipment:

48 Pol	Police Cruisers	45 Marked, 3 Unmarked incl equip	1,607,205	Police		**14 RFP's Sent Out**	
Pol	Mobile Data Terminals		391,968	Police		**2 Responses**	
1 Pol	All Wheel Drive Van		24,674	Police			
1 Pol	4 x 4 SUV's		31,793	Police			
Pol	4 x 2 SUV's		-	Police			
Pol	Full Size Pick up		-	Police			
2 Pol	Undercover vehicles		42,000	Police			
Pol	Handi Talkies		-	Police			
Pol	AVL		-	Police	2,097,640	31,966	2,129,606
1 AC	Cargo Vans w/equipment		24,000	Animal Control	24,000		24,000
Fire	Mobile Data Terminals		141,544	Fire			
Fire	Sedans		-	Fire			
1 Fire	Van		20,000	Fire	161,544	-	161,544
1 PC	Pick Up Truck		27,000	Parking Control	27,000		27,000
Flood	Used golf cart		5,000	Flood	5,000		5,000
1 W&M	Sedans		26,000	Weights & Measures	26,000		26,000
1 Fleet	15 Passenger Van		21,350	Fleet	21,350		21,350
1 St Lght	Pick Up Truck		30,000	Street Lighting	41,000		41,000
St Lght	Snow Blade Kit		11,000	Transportation Admin			
1 Trans	4 x 2 Pick Ups		17,000	Transportation Admin	17,000		17,000
2 Traff	Ford Escape Hybrids		70,000	Traffic Engineering	70,000		70,000
BOW Admin	4 x 4 Pick Up		17,500	Solid Waste	17,500		17,500
3 Street	Heavy Duty Trucks		240,000	Street			
1 Street	Street Sweeper		120,000	Street	360,000	-	360,000
	Contingency		31,966	**$ 2,900,000**			
	Total		2,900,000.00				**2,900,000**

WEST FOSTER PARKWAY(OLD MILL ROAD TO KIMMEL WAY) – WATER MAIN EXTENSION
RESOLUTION NO. 2189-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 1,200 LF of 8-inch water main, 3 fire hydrants, 2 valves, and all other appurtenances and work as necessary for the water main extension project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "WEST FOSTER PARKWAY (OLD MILL ROAD TO KIMMEL WAY) – WATER MAIN EXTENSION"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $80,000.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 1st DAY OF April, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY:
Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

EMERGENCY RESOLUTION NUMBER_96-4-8-09-1
933 and 921 COLUMBIA

WHEREAS, an existing 15" VCP combination line has collapsed, in the alley behind 933 Columbia and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 15" VCP combination line is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Liberty Exc., T&E Exc., Allstar, Scheidleman, and Bercot were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 8th day of April ,2009.

BOARD OF PUBLIC WORKS

By Regina A-Kostoff
Regina Kostoff, Chair

By
Kumar Menon, Member

By
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

933 and 921 COLUMBIA AVE
COMBINATION SEWER
EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

Replacement of plus or minus 8ft of 15" vcp combination sewer behind 933 Columbia and repair of a cb line possibly 12" behind 921 Columbia. The overall depth of the repair will be approximately 8ft in the alley between Columbia and Lake west of Dearborn. There is a Verizon duct line above the sewer. The contact for Verizon is Justin Koscher 260-461-2268

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual
2. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
3. Contractor shall be required and responsible for placing and maintaining temporary barricades.
4. Contractor needs to comply with all E.B.E. requirements through City of Fort Wayne Compliance Office.
5. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
6. Contractor shall be responsible to protect, replace, and or repair all existing utilities in the emergency repair site.
7. Contractor is to submit Monthly Report and Manpower Summary to the City Compliance Office, Room #420.
8. Contractor shall be required to obtain and adhere to any and all required permits, including a right of way cut permit and a street barricade permit.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition, at no extra cost.

933 & 921 COLUMBIA AVE.
COMBINATION SEWER EMERGENCY REPAIRS

BASE BID:
ITEM NO. 1 All costs to complete all work to replace plus or minus 8ft of 15" combination sewer line behind 933 Columbia and plus or minus 8ft of 12" catch basin line behind 921 Columbia.

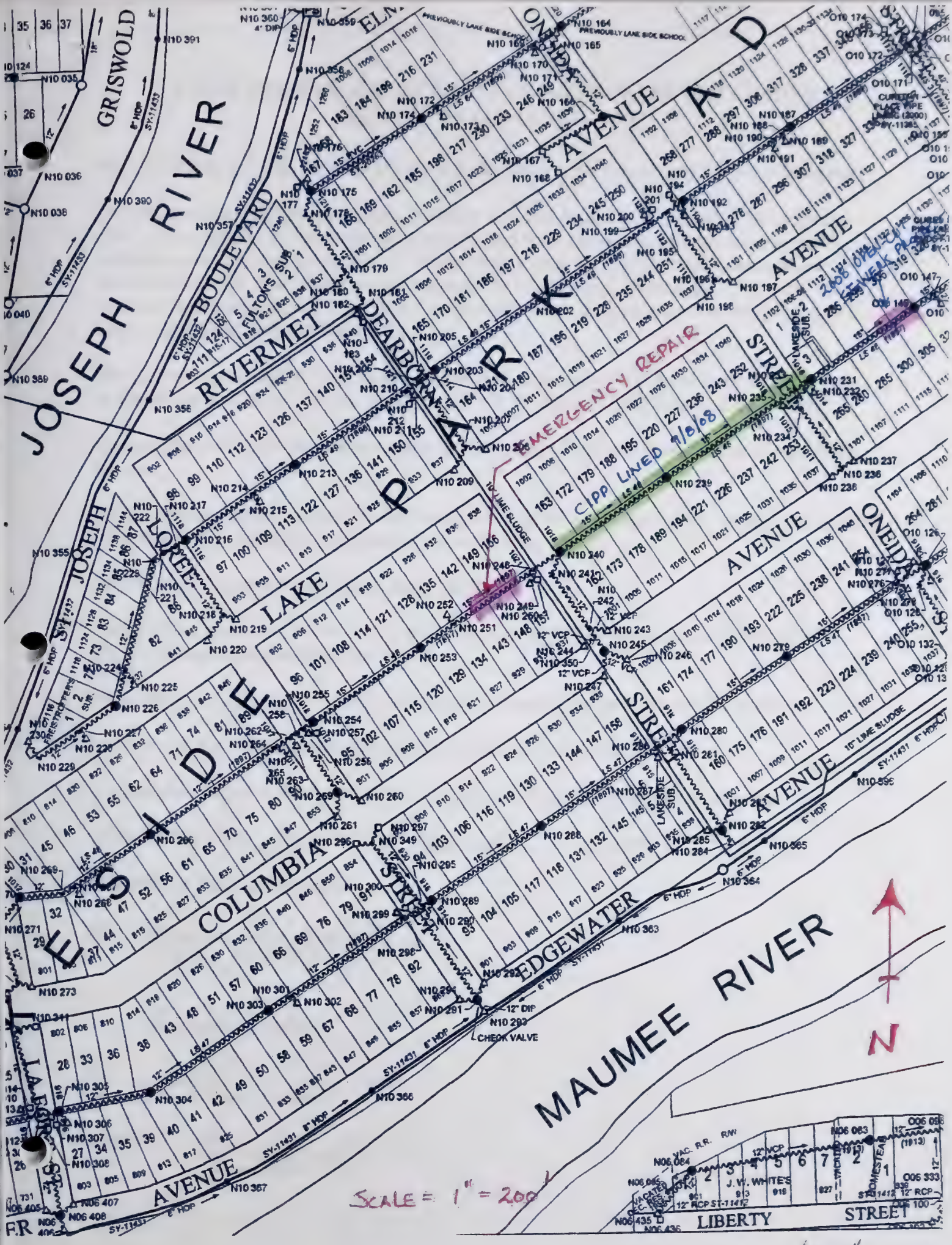
LUMP SUM **$**_____

The emergency repair work shall begin within 1 (one) day from date of obtaining an emergency repair order.

Proposal submitted this _____day of _____, 2009.

FROM_____
Contractor

BY_____


JOSEPH RIVER
GRISWOLD
BOULEVARD
RIVERMET
DEARBORN PARK
AVENUE
ONEIDA
LAKE
LORETTA
STREET
JOSEPH
SOUTH SIDE
COLUMBIA
STREET
AVENUE
EDGEWATER
AVENUE
MAUMEE RIVER
LAKE
STREET
AVENUE
LIBERTY
STREET
EMERGENCY REPAIR
CIPP LINED 9/8/08
2408 LINEAR FT
FENIMORE PL
10" LIME SLUDGE
12" VCP
CHECK VALVE
SCALE = 1" = 200'
N

26

COOK ROAD (EAST OF US 33) – WATER MAIN EXTENSION
RESOLUTION NO. 2166-2008

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 840 LF of 8-inch water main, 219 LF of 16-inch water main, 3 fire hydrants, and all other appurtenances and work as necessary for the water main extension project to provide service to . Water Maintenance and Service staff will construct approximately 520 LF of 8-inch water main and 220 LF of 16-inch water main. Contractor will construct approximately 340 LF of 8-inch water main, which includes a ditch crossing and bore across Cook Road shown in Exhibit 'A'.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "COOK ROAD (EAST OF US 33) – WATER MAIN EXTENSION"

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in Attachment "A" (Property Acquisition Summary Sheet).

States there is a cost of $6,593.00 for the purchase of easements associated with this project.

Declares the engineer's estimate of the project's total cost is $82,000.00

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 8th DAY OF April, 2009.

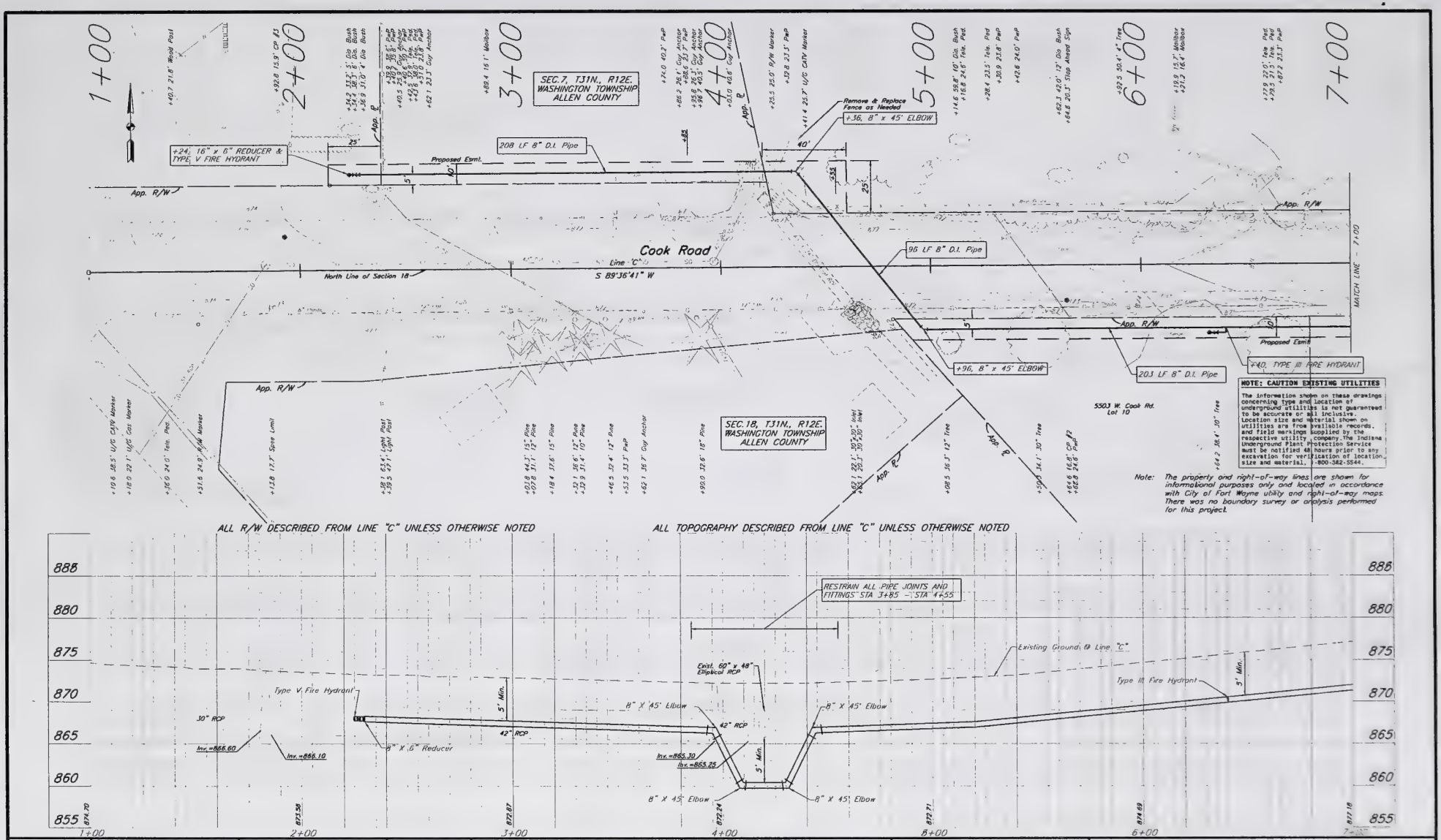
BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk



Note: The property and right-of-way lines are shown for informational purposes only and located in accordance with City of Fort Wayne utility and right-of-way maps. There was no boundary survey or analysis performed for this project.

NOTE: CAUTION EXISTING UTILITIES

The information shown on these drawings concerning type and location of underground utilities is not guaranteed to be accurate or all inclusive. Location size and material shown on utilities are from available records, and field markings supplied by the respective utility company. The Indiana Underground Plant Protection Service must be notified 48 hours prior to any excavation for verification of location, size and material, 1-800-382-5544.

AFFIX SEAL FOR	AS-BUILT CERTIFICATION BY:	PLANS CERTIFIED BY:	
AS-BUILT CERT.	THIS __ DAY OF _____, 20__	THIS __ DAY OF _____, 20__	

-- REVISIONS --

NO	DATE	DESCRIPTION	BY	APR.

PLANS PREPARED BY:

E-TECH ENGINEERING TECHNOLOGIES, INC.
10305 Dawson's Creek Blvd. Suite A
Fort Wayne, Indiana 46825
Phone: (260) 489-6635 • Fax: (260) 489-6605

FORT WAYNE CITY UTILITIES

DEPARTMENT OF WATER RESOURCES

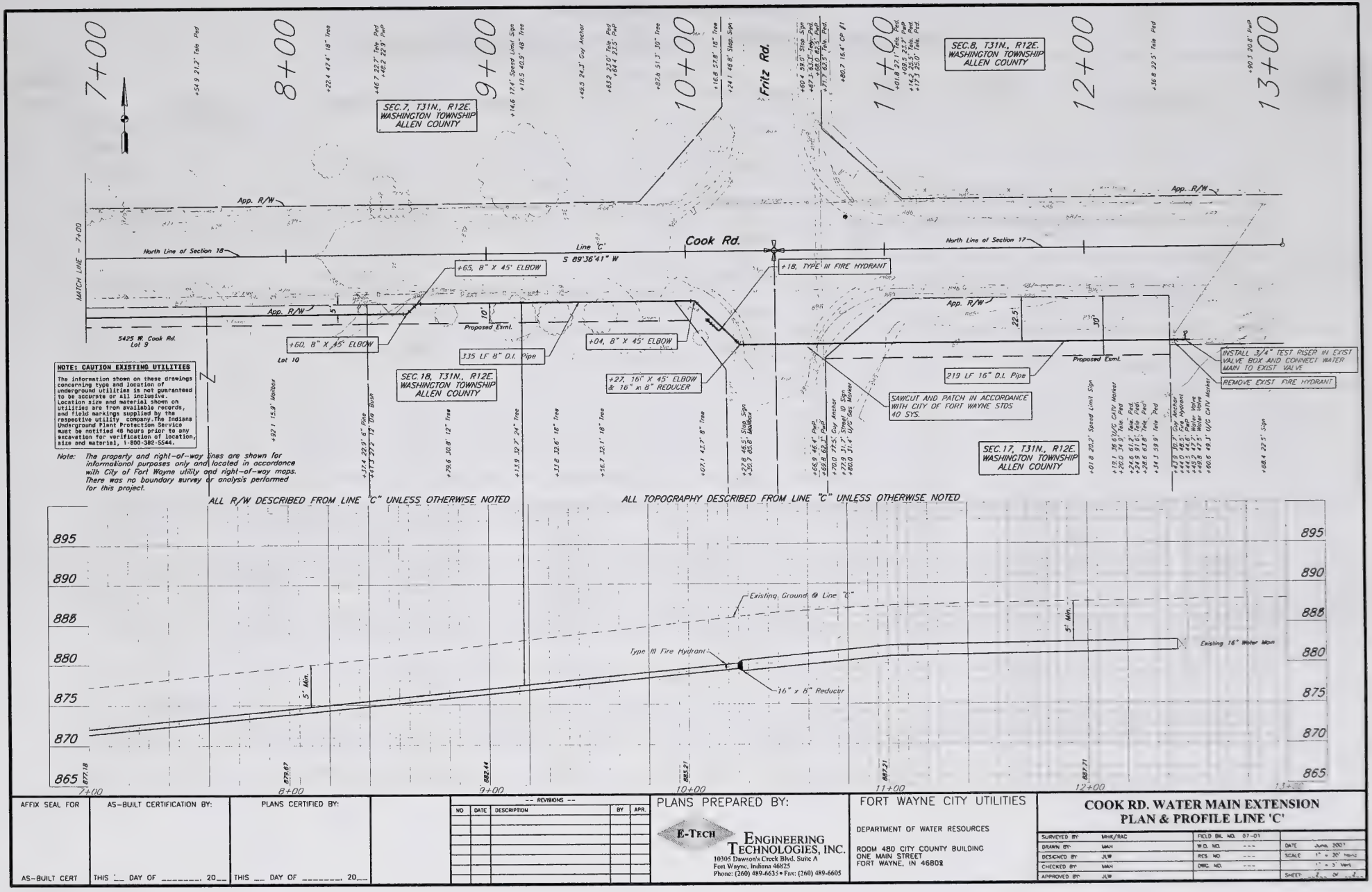
ROOM 480 CITY COUNTY BUILDING
ONE MAIN STREET
FORT WAYNE, IN 46802

COOK RD. WATER MAIN EXTENSION
PLAN & PROFILE LINE 'C'

SURVEYED BY:	MHK/RAC	FIELD BK. NO.	07-01		
DRAWN BY:	MAH	W.O. NO.	---	DATE:	June, 2007
DESIGNED BY:	JLW	RES. NO.	---	SCALE:	1" = 20' Horiz
CHECKED BY:	MAH	DWG. NO.	---		1" = 5' Vert
APPROVED BY:	JLW			SHEET	1 OF 2

"EXHIBIT 1"

20



AFFIX SEAL FOR	AS-BUILT CERTIFICATION BY:	PLANS CERTIFIED BY:
AS-BUILT CERT	THIS __ DAY OF _____, 20__	THIS __ DAY OF _____, 20__

-- REVISIONS --

NO	DATE	DESCRIPTION	BY	APR.

PLANS PREPARED BY:

E-TECH ENGINEERING TECHNOLOGIES, INC.
10305 Dawson's Creek Blvd. Suite A
Fort Wayne, Indiana 46825
Phone: (260) 489-6635 • Fax: (260) 489-6605

FORT WAYNE CITY UTILITIES

DEPARTMENT OF WATER RESOURCES

ROOM 480 CITY COUNTY BUILDING
ONE MAIN STREET
FORT WAYNE, IN 46802

COOK RD. WATER MAIN EXTENSION
PLAN & PROFILE LINE 'C'

SURVEYED BY:	MHK/RAC	FIELD BK. NO.	07-01		
DRAWN BY:	MAH	W.O. NO.	---	DATE	June, 2007
DESIGNED BY:	JLW	RCS NO.	---	SCALE	1" = 20' Horiz.
CHECKED BY:	MAH	DRC NO.	---		1" = 5' Vert.
APPROVED BY:	JLW			SHEET	of

"EXHIBIT 1"

Attachment "A"

Property Acquisition Sheet

Cook Road (East of US 33) - Water Main Extension

PARCEL NO.	OWNER	PROPERTY ADDRESS	SHEET NUMBERS (project plans)	SOURCE OF TITLE DEED RECORD NUMBER	WATER EASEMENT (SQ. FT.)	TEMPORARY EASEMENT (SQ. FT.)	REMARKS	EASEMENT DOCUMENT NUMBER
1	Her-Mutt LLP (dba Edgewood Estates)			200030465				
2	Juanita Reid	7331 Fritz Road		202085723				
3	Donna C. Slone	5424 W. Cook Road		980068036				
4	Leonard and Ann Marie Wall	5503 W. Cook Road		970002389				
5	Marcus James Moffitt	7409 Fritz Road		790016739				
6	Dana S. and Beverly S. Gibbs	5608 W. Cook Road		204049097				
7	Hugh Johnston, Jr.	5614 W. Cook Road		865505				

IMPROVEMENT RESOLUTION NO. 7224-09

CHICKASAW DR / BLACKHAWK LA.
WORK ORDER NO. 12094

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: MARIAS DRIVE AND BLACKHAWK LANE FROM 3437 MARIAS DR TO 6940 BLACKHAWK LA. BY RECONSTRUCTING THE CONCRETE PAVEMENT AS NEEDED.ALSO CHICKASAW DR FROM MARIAS DR TO WHETSTONE LA. BY RECONSTRUCTING THE CONCRETE PAVEMENT AS NEEDED WITH UNDERDRAINS & RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 8th day of April, 2009

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Chickasaw Dr / Blackhawk La.

RES. NO.: 7224-09

DATE: 4/6/09

W.O. NO.: 12094

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete Pavement	3000	SY	6.00	18000.00
2.	Removal of Concrete	85	SY	6.00	510.00
3.	Cement Concrete Pavement,Plain 6" Incl."type I-A curb"	3000	SY	24.00	72000.00
4.	Concrete Pavement For Residential Drives (6")	10	SY	27.00	270.00
5.	Concrete Wingwalk And Curb Ramps	45	SY	45.00	2025.00
6.	BRICK RED ADA SOLUTIONS OR ARMOR TILE REPLACEABLE 2' X 4' COMPOSITE WET SET TACTILE WARNING SURFACE UNITS	4	EA	300.00	1200.00
7.	Concrete Sidewalk (4")	30	SY	24.00	720.00
8.	Adjust Casting To Grade	2	EA	150.00	300.00
9.	Furnish and Adjust Casting Type " C "	2	EA	450.00	900.00
10.	Compacted aggregate for base "O" - #53	420	TON	15.00	6300.00
11.	Bed Coarse Material	30	TON	15.00	450.00
12.	Backfill For Behind Curbs	90	TON	15.00	1350.00
13.	Top Soil	95	TON	15.00	1425.00
14.	Hydroseeding with Polymer (Erosion Control)	500	SY	3.00	1500.00
15.	Construction Signs Type "A"	6	EA	50.00	300.00
16.	Standard Barricade, Type III with Lights & Signs	8	EA	100.00	800.00
17.	Standard Barricade, Type III	6	EA	70.00	420.00
18.	Underdrain, 6" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	900	LF	10.00	9000.00
19.	Sediguard Inlet Protection Device or Approved Equivalent For Sediment Control	4	EA	70.00	280.00
20.	Mobilization and Demobilization	1	LS	5887.50	5887.50
21.	Maintenance of Traffic	1	LS	4710.00	4710.00

SUB-TOTAL:	128347.50
E&I @16%	20535.60
TOTAL:	**$148,883.10**

Revised: 02-13-04

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: April 3, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$385,590.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the 3RFP North Pump Building, the St. Joe Dam Pump Station, the 3RFP Filter Valve Replacement, the Lime Sludge Pumping Project and the Lake Ave. Water Main Improvement.

Draw #220	Donohue & Assoc.	$ 34,681.00
Draw #221	Hagerman Construction	134,376.00
Draw #222 & #223	CH2M Hill	27,876.00
Draw #224	Weigand Construction	33,727.00
Draw #225	Environmental Management Specialists, Inc.	2,345.00
Draw #226	Weigand Construction & Star Financial Bank	136,841.00
Draw #227	Black & Veatch Corp.	1,433.00
Draw #228	Bonar Group	14,311.00
	Total Payments	**$385,590.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

April 15, 2009
Date

IMPROVEMENT RESOLUTION NO. 7209-09

RESURFACING PKG. A 2009
WORK ORDER NO. 12096

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: (6.2 MILES) MILLING PAVEMENT SURFACE AND RESURFACING PAVEMENT: PAVEMENT MARKINGS, RAISE CASTINGS AND VALVE BOXES TO GRADE.

4TH DISTRICT

ABOITE CNTR. ROAD: HOMESTEAD RD. TO WINTER FIELD RUN
WOODS EDGE LANE: SPY GLASS RUN TO SHADOW RIDGE
SHEFFIELD WAY: SPY GLASS RUN 145' WEST OF SPY GLASS RUN TO EXISTING CONCRETE
COPPER TREE PLACE: SHADOW RIDGE RUN TO END OF CUL-DE-SAC
SWEETWOOD CT.: DELL LOCH WAY TO END OF CUL-DE-SAC
SHADOW RIDGE RUN: WOODS EDGE LANE TO DEER CREEK LANE
SHADOW RIDGE RUN: DEER CREEK LANE TO END OF CUL-DE-SAC
(2.07 MILES)

5TH DISTRICT

BROADWAY: MAIN ST. TO 50' SOUTH OF WEST BERRY STREET INTERSECTION
WAYNE STREET: FAIRFIELD AVE. TO CALHOUN STREET
BLUFFTON RD.: VESEY AVE. TO BROOKLYN AVE.
ST MARTINS ST.: HANNA ST. TO LAFAYETTE STREET
HOME AVE.: FAIRFIELD AVE. TO INDIANA AVE.
WEST SHERWOOD TERRACE: HOAGLAND AVE. TO WEBSTER STREET
WEST WILLIAMS ST.: TAYLOR STREET TO HARRISON STREET
FAIRFIELD AVE.: CREIGHTON AVE. TO TAYLOR STREET
TACOMA AVE.: PETTIT AVE. TO SHERWOOD TERRACE
WEBSTER ST.: WAYNE ST. TO BERRY ST.
(2.02 MILES)

6TH DISTRICT

EDGEKNOLL LANE: CORWIN LANE TO CORWIN LN & SMALL LOOP
BUTLER ST.: LAFAYETTE ST. TO CLINTON STREET
TURTLE CREEK DR.: PAULDING RD. TO STARDALE DRIVE
WARSAW ST.: SUTTENFIELD ST. TO LASSELLE STREET
BUCHANAN ST.: HANNA ST. TO LAFAYETTE STREET
LASSELLE ST.: HANNA ST.TO LAFAYETTE STREET
DEWALD ST.: HANNA ST. TO CLINTON STREET
(2.11 MILES)

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 15th day of April, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Resurfacing Pkg. A - 2009

RES. NO.: 7209-09

DATE: 4/8/2009

W.O. NO.: 12096

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization and Demobilization	1	LS	29000.00	29000.00
2.	Surface Milling, Bituminous	119,614	SY	1.10	131575.40
3.	Bituminous Material for Tack Coat	70	TN	125.00	8750.00
4.	Bituminous Binder, No.# 8, HMA, 11/4" Inch	8223	TN	40.00	328920.00
5.	Bituminous Surface, No. 11, HMA, 1" Inch	2946	TN	51.00	150246.00
6.	Bituminous Surface, No. 12, HMA, 1" Inch For Residential Streets Only	3633	TN	52.00	188916.00
7.	Bituminous Mix for Patching, #5D Base (Undistributed Quantity)	250	TN	46.00	11500.00
8.	Bituminous Mix for Approaches, Side Streets (Undistributed Quantity)	146	TN	45.00	6570.00
9.	Water, Valve-Box, Adjusted to Grade (Undistributed Quantity)	40	EA	35.00	1400.00
10.	Water, Valve-Box, Furnished & Adjusted to Grade (Undistributed Quantity)	5	EA	100.00	500.00
11.	Casting Type "A" Furnished & Adjusted to Grade, (Undistributed Quantity)	20	EA	500.00	10000.00
12.	Casting Type "A" Manhole Adjustment Ring (Undistributed Quantity)	1	EA	300.00	300.00
13.	Manhole Frame and Cover, With Concealed Pickhole, **Labor Only** To Be Picked Up At Sewer Maintenance, Undistributed Quantity	32	EA	225.00	7200.00
14.	Casting Type "C" Furnished & Adjusted to Grade (Undistributed Quantity)	1	EA	600.00	600.00
15.	Casting Type "F" Furnished & Adjusted to Grade (Undistributed)	1	EA	550.00	550.00
16.	Temporary Pavement Marking, Yellow, 4 inch - Paint (4' Line 36" Gap) For Each Pass, Over Milled Areas	1100	LF	1.20	1320.00
17.	Temporary Pavement Marking, White, 4 inch - Paint (4' Line 36" Gap) For Each Pass, Over Milled Areas	400	LF	1.20	480.00
18.	Center Line,Thermoplastic , Broken, Yellow 4"	200	LF	0.50	100.00
19.	Center Line,Thermoplastic , Solid, Yellow 4"	8930	LF	0.50	4465.00
20.	Broken White, Thermoplastic Lane Line, 4"	1875	LF	0.50	937.50
21.	Transverse Markings,Thermoplastic, White, 24" Stop Bars	360	LF	3.50	1260.00
22.	Transverse Markings,Thermoplastic, White, 12" Line	45	LF	1.80	81.00

23.	Arrow, Left, Thermoplastic, White	18	EA	100.00	1800.00
24.	Message, Thermoplastic, White Word "ONLY"	18	EA	100.00	1800.00
25.	4" White Paint Edge Line	10600	LF	0.50	5300.00
26.	4" Solid White Paint Lane Line,Thermoplastic	2825	LF	0.50	1412.50
27.	4" Broken White Center Line,Thermoplastic	100	LF	0.50	50.00
28.	8" Thermoplastic, White, Pavement Marking, **(X For Emergency Entrance To St Joe Hosptal) On Broadway**	285	LF	3.00	855.00
29.	8" Line, Thermoplastic, Solid Yellow	4125	LF	1.50	6187.50
30.	12" Yellow Crosshatch, Thermoplastic	400	LF	2.00	800.00
31.	6" White Thermoplastic Cosswalk Line	2100	LF	1.00	2100.00
32.	4" White Thermoplastic, For Parking Stalls	1770	LF	0.50	885.00
33.	8" Yellow Broken Thermoplastic	700	LF	1.75	1225.00
34.	Temporary Pavement Marking, White, 4 inch - Tape For Binder and Surface, Undistributed Quantity	1500	LF	0.25	375.00
35.	Temporary Pavement Marking, Yellow, 4 inch - Tape For Binder and Surface, Undistributed Quantity	1500	LF	0.25	375.00
36.	6" Solid White Thermoplastic for Outside Bike Lane Edge Line 5' Space For Bike Lane	1625	LF	1.00	1625.00
37.	4" Solid White Thermoplastic for Inner Bike Lane Edge Line	1625	LF	0.50	812.50
38	White Thermoplastic Bike Symbol Pavement Marking, Wayne Street, South Side	8	EA	125.00	1000.00
39	White Thermoplastic Directional Arrow Symbol Pavement Marking, Wayne Street, South Side	8	EA	110.00	880.00
40	Saw Slot & Sealer	300	LF	15.00	4500.00
41	1c/14 Loop Cable	1050	LF	0.85	892.50
42	Detector Housing	3	EA	700.00	2100.00
43	Wireless Detection Removal and Reinstallation, At Westlake and Aboite Cntr.	12	EA	260.00	3120.00
44	Maintenance of Traffic	1	LS	27000.00	27000.00

SUB-TOTAL:	**949765.90**
E&I @5.9%	56036.19
TOTAL:	**$1,005,802.09**

IMPROVEMENT RESOLUTION NO. 7228-09

HOLTON AVENUE CONCRETE STREET REPAIRS
WORK ORDER NO. 12113

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: HOLTON AVENUE (McKINNIE AVE. TO SENATE AVE.) BY RECONSTRUCTION OF CONCRETE STREET, DRAINAGE IMPROVEMENTS, SUBSURFACE DRAINS AND RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 15th day of April, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BID

CONTRACTOR:

RES. NO.: 7228-09

PROJECT: HOLTON AVE. CONCRETE STREET REPAIRS

W.O. NO.: 12113

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Pavement (includes existing curb)	1450	SY		
2.	Removal of Concrete	163	SY		
3.	Concrete Curb Type II-A (Includes stirrup bars and longitudinal bar)	900	LF		
4.	Cement Concrete Pavement, Plain 6" (7 Bag Mix w/ Superplasticizer, including J-Bolts or #5 deformed bars)	1450	SY		
5.	Concrete Pavement for Residential Drives (6")	43	SY		
6.	Concrete Pavement for Commercial Drives (8")	48	SY		
7.	Concrete Wingwalk and Ramps (6")	12	SY		
8.	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'x4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	2	EA		
9.	Concrete Sidewalk 4"	55	SY		
10.	Type "O" Compacted Aggregate for Base No. 53	315	TON		
11.	Bedcourse Material	30	TON		
12.	Top Soil	30	TON		
13.	Hydroseeding with Hydrostik or Equivalent Polymer	500	SY		
14.	Backfill behind Curb	40	TON		
15.	1" Expansion Joint	27	LF		
16.	Underdrain, 6" Perforated Plastic, Group K Pipe	960	LF		
17.	Casting Type "C" Furnished and adjusted to Grade	1	EA		
18.	Casting Type "A" Furnished and adjusted to Grade	1	EA		
19.	Casting Type "A" Furnished and adjusted to Grade	1	EA		
20.	Casting adjusted to Grade	1	EA		
21.	Water Valve adjusted to Grade (Undistributed)	1	EA		
22.	Sediguard Inlet Protection Device or Approved	1	EA		
23.	Fertilize Tree	11	EA		
24.	Construction Sign Type A with Warning	6	EA		
25.	Standard Barricade, Type III-B	3	EA		
26.	Standard Barricade, Type III-B with Sign and	3	EA		
27.	Maintenance of Traffic	1	LS		
28.	Mobilization / Demobilization	1	LS		

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.
All work must be completed by : 15 AUGUST 2009
Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____
Contractors Signature

ESTIMATE OF QUANTITIES

PROJECT: HOLTON AVE. CONCRETE STREET REPAIRS
DATE:4/8/2009
BID DATE: 5/6/09

RES. NO.: 7228-09
W.O. NO.: 12113

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Pavement (includes existing curb)	1450	SY	6.50	9,425.00
2.	Removal of Concrete	163	SY	6.00	978.00
3.	Concrete Curb Type II-A (Includes stirrup bars and longitudinal bar)	900	LF	15.00	13,500.00
4.	Cement Concrete Pavement, Plain 6" (7 Bag Mix w/ Superplasticizer, including J-Bolts or #5 deformed bars)	1450	SY	26.00	37,700.00
5.	Concrete Pavement for Residential Drives (6")	43	SY	27.00	1,161.00
6.	Concrete Pavement for Commercial Drives (8")	48	SY	35.00	1,680.00
7.	Concrete Wingwalk and Ramps (6")	12	SY	40.00	480.00
8.	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'x4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	2	EA	230.00	460.00
9.	Concrete Sidewalk 4"	55	SY	25.00	1,375.00
10.	Type "O" Compacted Aggregate for Base No. 53	315	TON	15.00	4,725.00
11.	Bedcourse Material	30	TON	12.00	360.00
12.	Top Soil	30	TON	15.00	450.00
13.	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	500	SY	2.50	1,250.00
14.	Backfill behind Curb	40	TON	6.00	240.00
15.	1" Expansion Joint	27	LF	12.00	324.00
16.	Underdrain, 6" Perforated Plastic, Group K Pipe (includes #8 stone)	960	LF	7.00	6,720.00
17.	Casting Type "C" Furnished and adjusted to Grade	1	EA	395.00	395.00
18.	Casting Type "A" Furnished and adjusted to Grade	1	EA	400.00	400.00
19.	Casting Type "A" Furnished and adjusted to Grade (Special)	1	EA	700.00	700.00
20.	Casting adjusted to Grade	1	EA	200.00	200.00
21.	Water Valve adjusted to Grade (Undistributed)	1	EA	50.00	50.00
22.	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	1	EA	75.00	75.00
23.	Fertilize Tree	11	EA	40.00	440.00
24.	Construction Sign Type A with Warning Light Type A	6	EA	75.00	450.00
25.	Standard Barricade, Type III-B	3	EA	100.00	300.00
26.	Standard Barricade, Type III-B with Sign and Warning Light	3	EA	125.00	375.00
27.	Maintenance of Traffic	1	LS	3,000.00	3,000.00
28.	Mobilization / Demobilization	1	LS	4,000.00	4,000.00

SUB-TOTAL:	91213.00
E&I @25%	22803.25
TOTAL:	114016.25

Revised: 02-13-04

IMPROVEMENT RESOLUTION NO. 7225-09

ELMER AVENUE AND VILLA PARK COURT
WORK ORDER NO. 12104

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Elmer Avenue (from Sherman Blvd. to Wells St.) and Villa Park Court (Cul-De-Sac) by Concrete Street Repairs.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 22nd day of April, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Elmer Ave.(Sherman Blvd. To Wells St.) & Villa Park Ct. (Cul-De-Sac **RES. NO.: 7225-09**
DATE: 3/24/2009 **W.O. NO.: 12104**
BID DATE:

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete Pavement	3210	SY	5.00	16,050.00
2.	Removal of Concrete	85	SY	5.00	425.00
3.	Cement Concrete pavement, Plain 6" (Type 1-A curb included)	3210	SY	23.25	74,632.50
4.	Concrete Pavement for Residential Drives (6")	85	SY	26.00	2,210.00
5.	Type "O" Compacted Aggregate for Base, No. 53	720	TON	13.50	9,720.00
6.	Bedcourse Material	10	TON	12.00	120.00
7.	Top Soil	155	TON	14.00	2,170.00
8.	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	236	SY	2.50	590.00
9.	Water Valve Adjusted to Grade	2	EA	50.00	100.00
10.	1" Expansion Joint	27	LF	12.00	324.00
11.	Underdrain, 6" Perforated Plastic, Group K Pipe (includes #8 stone)	285	LF	6.00	1,710.00
12.	Adjust Casting to grade	8	EA	150.00	1,200.00
13.	Casting Type "A" Furnished and Adjusted to Grade	1	EA	400.00	400.00
14.	Casting Type "C" Furnished and Adjusted to Grade	1	EA	400.00	400.00
15.	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	10	EA	80.00	800.00
16.	Construction Sign Type A	10	EA	50.00	500.00
17.	Standard Barricade, Type III-B	6	EA	70.00	420.00
18.	Standard Barricade, Type III-B with Signs and Warning Light	4	EA	100.00	400.00
19.	Maintenance of Traffic	1	LS	4,500.00	4,500.00
20.	Mobilization / Demobilization	1	LS	5,800.00	5,800.00

SUB-TOTAL:	122,471.50
E&I @21%	25,719.02
TOTAL:	**148,190.52**

BID

PROJECT: Elmer Ave.(Sherman Blvd. To Wells St.) & Villa Park Ct. (Cul-De-Sac)
DATE: 4/20/2009
BID DATE: 5/13/2009

RES. NO.: 7225-09

W.O. NO.: 12104

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete Pavement	3210	SY		
2.	Removal of Concrete	85	SY		
3.	Cement Concrete pavement, Plain 6" (Type 1-A curb included)	3210	SY		
4.	Concrete Pavement for Residential Drives (6")	85	SY		
5.	Type "O" Compacted Aggregate for Base, No. 53	720	TON		
6.	Bedcourse Material	10	TON		
7.	Top Soil	155	TON		
8.	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	236	SY		
9.	Water Valve Adjusted to Grade	2	EA		
10.	1" Expansion Joint	27	LF		
11.	Underdrain, 6" Perforated Plastic, Group K Pipe (includes #8 stone)	285	LF		
12.	Adjust Casting to grade	8	EA		
13.	Casting Type "A" Furnished and Adjusted to Grade	1	EA		
14.	Casting Type "C" Furnished and Adjusted to Grade	1	EA		
15.	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	10	EA		
16.	Construction Sign Type A	10	EA		
17.	Standard Barricade, Type III-B	6	EA		
18.	Standard Barricade, Type III-B with Signs and Warning Light	4	EA		
19.	Maintenance of Traffic	1	LS		
20.	Mobilization / Demobilization	1	LS		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: 8/7/2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

_____
Contractors Signature

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: April 27, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$185,178.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the 3RFP North Pump Building, the St. Joe Dam Pump Station, and the 3RFP Filter Valve Replacement project.

Draw #229	Donohue & Assoc.	$ 37,996.00
Draw #230	HNTB Corp.	13,291.00
Draw #231	Weigand Construction	95,611.00
Draw #232 & #234	CH2M Hill Inc.	12,529.00
Draw #233	Weigand Construction & Star Financial Bank	25,751.00
	Total Payments	**$185,178.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

April 29, 2009
Date

FILTRATION PLANT EAST PUMP ROOM WINDOWS
RESOLUTION NO. 2193-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to install four (4) security bar systems to the south windows and fencing to the opening on the north side of the Water Filtration Plant's East Pump Room.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, *Filtration Plant East Pump Room Windows*.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is **$13,800.00**.

APPROVED THIS 29th DAY OF April, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
Kumar Menon, Member

BY: _____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7229-09

RESURFACING PACKAGE B-2009
WORK ORDER NO. 12115

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Approximately 6.52 miles of streets by milling pavement surface and resurfacing and also replacing castings, valve boxes and pavement markings in the following Streets in Districts 1st, 2nd and 3rd:

1st District

Parkwood Drive:	Stellhorn Road to Woodcrest
Copper Circle:	Running Brook Lane to 310' to East
Skyhawk Drive:	Chivington Drive to Mowhawa Drive
Meadow Hills Drive:	Basswood Place to Running Brook Lane
Cimarron Pass:	Turkey Run to Chivington Drive
Chapel Bend Drive:	Running Brook Lane to Chateau Place
Bellefield Drive:	Maplecrest Road to 170' West of Driftwood
Running Brook Lane:	St. Joe Center to Meadow Hills
Laverne Avenue:	Forest Avenue to State Boulevard
Mosskey Court:	Manistee Drive to Including Cul-de-sac
Cody Avenue:	Garfield Street to Dead End
Chivington Drive:	Skyhawk Drive to Dead End
Potawatami Drive:	Kircheval Drive to White Eagle Drive
Eastwick Drive:	Reed Road to Corby Drive
Welshire Boulevard:	Maysville Road to Derby Lane

2nd District

Lynn Avenue:	Woodward Avenue to Leroy Avenue
Lynn Avenue:	Kensington Boulevard to Woodward Avenue
Woodshire Drive:	Roebuck Boulevard to Cul-de-sac but not including
Abbey Drive:	Stonehedge Boulevard to Parking Lot
Crescent Avenue:	Hazelwood Avenue to St. Joe River Drive
Lynn Avenue:	Anthony Boulevard to Kensington Boulevard
Westford Court:	Sunderland Drive to including Cul-de-sac
Shoaff Park River:	St. Joe Road to Dichotomy Court
Calico Court:	Shoaff Park River to Cul-de-sac but not including
Leroy Avenue:	Lawndale Drive to Curdes Avenue
Curdes Avenue:	Woodward Avenue to Leroy Avenue
Crescent Avenue:	St. Joe River Drive to Kirkwood Drive
Crescent Avenue:	Kirkwood Drive to Coliseum Boulevard
Shoaff Park River	Dichotomy Court to Bunchberry Court

3rd District

Catalina Avenue:	Riviera Drive to 200' East
E. California Road:	Clinton Street to Parnell
Enterprise Lane:	Superior Ridge Drive to Including Cul-de-sac
Superior Ridge Lane:	Hilligas Road to Enterprise Lane
N. Wells Street:	Coliseum Boulevard to Merkler Street
Rummel Avenue:	50' West on August Drive to Gillmore Avenue
Lillian Avenue:	Cortland Avenue to Cass Street
Diller Street:	Goshen Road to Highview Drive
Bethany Lane:	Clinton Street to Larch Lane
Riviera Drive:	Catalina Avenue to Washington Center
Skylark Court:	Mardigras to Cul-de-sac
First Street:	N. Harrison Street to Dead End
Cass Street:	Second Street to Putnam Street
Short Street:	Huffman to State Boulevard
Fourth Street:	N. Calhoun Street to Clinton Street

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 28th day of April, 2009

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Resurfacing PKG - B 2009
District 1 , 2 & 3

RES. NO.: 7229-09

W.O. NO.: 12115

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	SURFACE MILLING, BITUMINOUS	108722	SY	1.25	135902.50
2	BITUMINOUS MATERIAL FOR TACK COAT	42.25	TON	125.00	5281.25
3	BITUMINOUS BINDER NO 11, H.M.A.	4710	TON	45.00	211950.00
4	BITUMINOUS BINDER NO 8, H.M.A.	2696	TON	41.00	110536.00
5	BITUMINOUS SURFACE NO 12, H.M.A.	4710	TON	55.00	259050.00
6	BITUMINOUS SURFACE NO 11, H.M.A.	1349	TON	52.00	70148.00
7	BITUMINOUS MIXTURE FOR PATCHING, 5D Base (excavation of material included in cost of Patching item)	153	TON	50.00	7650.00
8	BITUMINOUS MIXTURE FOR APPROACHES FOR SIDE STREETS	236	TON	60.00	14160.00
9	WATER VALVE (ADJUST TO GRADE) (UNDISTRIBUTED QUANTITY)	42	EA	35.00	1470.00
10	WATER VALVE (FURNISH AND ADJUST TO GRADE) (UNDISTRIBUTED QUANTITY)	8	EA	75.00	600.00
11	CASTINGS (ADJUST TO GRADE) (UNDISTRIBUTED QUANTITY)	15	EA	150.00	2250.00
12	CASTING TYPE "A" MANHOLE ADJUSTMENT RING (UNDISTRIBUTED QUANTITY)	1	EA	200.00	200.00
13	CASTINGS (Pick up from WPCM AND ADJUST TO GRADE) TYPE "A" NEENAH # R1772 (UNDISTRIBUTED QUANTITY)	40	EA	175.00	7000.00
14	CASTINGS TYPE "C" FURNISH AND ADJUST TO GRADE (UNDISTRIBUTED QUANTITY)	1	EA	350.00	350.00
15	CASTINGS TYPE "F" FURNISH AND ADJUST TO GRADE (UNDISTRIBUTED QUANTITY)	1	EA	350.00	350.00
16	RAILROAD TRACK REMOVAL (COMPLETE REMOVAL OF TRACKS, R/R TIES AND MISC.)	1	LS	3500.00	3500.00
17	TEMPORARY PAVEMENT MARKING REMOVABLE, YELLOW 4" (4' every 36' Gap) (UNDISTRIBUTED)	1120	LF	0.50	560.00
18	TRANSVERSE MARKINGS, THERMOPLASTIC, WHITE CROSS WALK LINE, 6"	675	LF	1.60	1080.00
19	PAVEMENT MARKING, WHITE, THERMOPLASTIC, 24" STOP BAR	185	LF	5.00	925.00
20	TEMPORARY PAVEMENT MARKING REMOVABLE, WHITE 4" (4' every 36' Gap) (UNDISTRIBUTED)	300	LF	0.50	150.00
21	PAVEMENT MARKING, WHITE, EDGE LINE, PAINT, 4"	900	LF	0.30	270.00
22	PAVEMENT MARKING, SOLID OR DASHED WHITE, THERMOPLASTIC, 4" LANE LINE	2835	LF	1.00	2835.00
23	PAVEMENT MARKING, SOLID OR DASHED YELLOW, CENTERLINE THERMOPLASTIC, 4"	14678	LF	1.00	14678.00
24	PAVEMENT MARKING, YELLOW, THERMOPLASTIC TRANSVERSE MARKING, 8"	150	LF	2.00	300.00
25	PAVEMENT MARKING, "ONLY", WHITE, THERMOPLASTIC	1	EA	90.00	90.00
26	PAVEMENT MARKING, "LEFT ARROW",WHITE, THERMOPLASTIC	1	EA	150.00	150.00
27	PAVEMENT MARKING, WHITE, THERMOPLASTIC TRANSVERSE MARKING, 8"	325	LF	1.20	390.00
28	TYPE "O" COMPACTED AGGREGATE FOR SHOULDERS AND DRIVES, No. 53 (UNDISTRIBUTED)	325	LF	13.00	4225.00
29	BITUMINOUS MIX FOR WEDGE AND LEVEL (UNDISTRIBUTED QUANTITY)	100	TON	46.00	4600.00
30	DETECTOR HOUSING (INSTALLED)	2	EA	600.00	1200.00
31	DETECTOR HOUSING - DOUBLE (INSTALLED)	1	EA	1000.00	1000.00
32	SAW SLOT FOR ROADWAY LOOP AND SEALER	1145	LF	12.00	13740.00
33	SIGNAL LOOP CABLE, ROADWAY LOOP, 1C / 14 GA. (INSTALLED)	3770	LF	0.90	3393.00
34	SIGNAL LOOP CABLE, ROADWAY LOOP, 2C / 16 GA. SHIELDED CABLE (INSTALLED)	180	LF	1.50	270.00
35	2" GALVANIZED STEEL CONDUIT (INSTALLED)	15	LF	25.00	375.00
36	MAINTENANCE OF TRAFFIC	1	LS	30000.00	30000.00
37	MOBILIZATION AND DEMOBILIZATION	1	LS	42000.00	42000.00

SUB-TOTAL:	952628.75
E&I @16%	57157.73
TOTAL:	**$1,009,786.48**

Revised 02-13-04

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: May 6, 2009

RE: 2009 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $295,748.52 to be paid from the proceeds of the 2009 Passenger Vehicle Lease Financing which are held in an escrow at SunTrust Bank

Payment Request #1	
American Aluminum Accessories	3,828.52
Nowak Supply Co., Inc.	6,787.05
Motorola	87,600.00
Barneys Auto Electric	9,181.58
Precision Mounting Technologies	3,983.76
Payment Request #2	
Southeastern Equipment Co., Inc.	113,600.00
Kelley Chevrolet	20,823.55
Barney's Auto Electric	49,944.06
Total for Payment Requests	**$ 295,748.52**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

May 6, 2009
Date

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 96-5-6-09-1

RECOMMENDING RATE INCREASE FOR THE FORT WAYNE WATER POLLUTION CONTROL UTILITY

WHEREAS, pursuant to Indiana Code 36-9-23-25, the Common Council of the City of Fort Wayne Indiana has enacted a User Charge System and a Sewer Use Ordinance as contained in Chapter 51 of the Fort Wayne Code of Ordinances; and

WHEREAS, the Fort Wayne Code of Ordinances calls for an annual review of the Water Pollution Control Utility's current service charges and surcharges by the Board of Public Works to determine whether said charges provide sufficient revenue to offset the cost of all treatment works operation and maintenance provided by the Utility, including the cost of management, system repair and replacement, debt retirement and other costs incidental to the Utility operation; and

WHEREAS, State law (I.C. 8-1.5-3-8) states that rates and charges of municipally owned utilities are unlawful if they are too low to produce income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient services, and

WHEREAS, the City of Fort Wayne became subject to a Consent Decree enforceable April 1, 2008, wherein the City must construct certain facilities at certain times over the next 18 years to achieve certain specified levels of control over combined sewer overflows, must avoid sanitary sewer overflows and must report timely on progress and events or pay per diem fines and penalties for failure to meet deadlines, milestones or for failure to provide sufficient maintenance; and

WHEREAS, the Water Pollution Control Utility has developed plans for investments in high value combined sewer system projects, capacity building in the sanitary sewer interceptors for future economic growth and development, a continuation of pipeline rehabilitation work and preventative maintenance programs for maintenance sufficiency; and

WHEREAS, the Plant, sewer capacity and water quality capital projects have been incorporated into a long-term plan for sewer improvements -- the first six years of which are included in the Sewage Works Capital Improvement Program; and

WHEREAS, upon review of the Sewage Works Capital Improvement Program, the Board of Public Works of the City of Fort Wayne, In accordance with I.C. 36-9-23-25 and Section 51.079 of the Fort Wayne Code of Ordinances, now finds that existing rates and charges for the use of and services rendered by the Water Pollution Control Utility do not provide sufficient revenue to:

(a) Pay all expenses incidental to the operation of the sewage works as defined in 36-9-1-8 , including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations; and

(b) Provide the sinking fund required by I.C. 36-9-23-21 for proposed debt; and

(c) Provide adequate money for improving and replacing the works, specifically those projects that will contribute toward combined sewer system solutions and treatment plant improvements; and

WHEREAS, a series of rate increases in treatment and conveyance rates as listed in "Exhibit A" and changes in other rates and fees also listed in Exhibit A are needed to fund the sewer CIP projects for the next six years and meet the requirements of I.C. 36-9-23-25.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Board of Public Works of the City of Fort Wayne, Indiana deems it in the best interest of the Fort Wayne Water Pollution Control Utility, in order to provide income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient service to its users while implementing requirements of the Consent Decree and the Utility's approved Sewage Works Capital Improvements Plan, that the sewage rates be changed as listed in Exhibit A; and

2. The Board of Public Works recommends that the Common Council of the City of Fort Wayne, Indiana amend Chapter 51 of the Fort Wayne Code of Ordinances in order to reflect these increases in sewer service rates charged to all users of the Fort Wayne Water Pollution Control Utility.

Approved this 6th day of May, 2009.

FORT WAYNE, INDIANA
BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

Kumar Menon, Member

John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

EXHIBIT A

FINAL 5-3-09

FORT WAYNE MUNICIPAL SEWAGE WORKS
Fort Wayne, IN

Table of Sewage Works Rates and Charges

	Unit of Measure	Effective date: July 1st 2009	July 1st 2010	July 1st 2011	July 1st 2012	July 1st 2013
Inside City						
Retail * metered rates						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	1.4751	1.6964	1.8830	2.0524	2.2372
Total	per ccf	2.8721	3.3029	3.6662	3.9962	4.3559
Retail monthly billing charge	per bill	4.08	4.69	5.21	5.68	6.19
Flat rate monthly Charge						
Single family residential dwelling	per connection	32.80	37.72	41.87	45.64	49.74
Other**	per connection	estimated	estimated	estimated	estimated	estimated
Monthly Evaluation Charge						
Type 1 evaluation	per month	137.48	137.48	137.48	137.48	137.48
Type 2 evaluation	per month	151.48	151.48	151.48	151.48	151.48
Evaluation Charge						
Type 1 evaluation	per occurrence	412.43	412.43	412.43	412.43	412.43
Type 2 evaluation	per occurrence	454.43	454.43	454.43	454.43	454.43
Grab Compliance	per occurrence	166.86	166.86	166.86	166.86	166.86
Excess Strength of Waste Surcharge						
Suspended Solids	per pound	0.0968	0.0968	0.0968	0.0968	0.0968
Biochemical Oxygen Demand	per pound	0.1235	0.1235	0.1235	0.1235	0.1235
Phosphorus	per pound	1.4575	1.4575	1.4575	1.4575	1.4575
Ammonia	per pound	0.3748	0.3748	0.3748	0.3748	0.3748
Outside City						
Retail * metered rates						
Treatment	per ccf	1.7463	2.0082	2.2292	2.4298	2.6485
Conveyance	per ccf	1.8439	2.1205	2.3537	2.5656	2.7965
Total	per ccf	3.5902	4.1287	4.5829	4.9954	5.4449
Retail monthly billing charge	per bill	5.10	5.87	6.51	7.10	7.73
Flat rate monthly Charge						
Single family residential dwelling	per connection	41.00	47.15	52.34	57.05	62.18
Other**	per connection	estimated	estimated	estimated	estimated	estimated
Monthly Waster Evaluation Charge						
Type 1 evaluation	per month	137.48	137.48	137.48	137.48	137.48
Type 2 evaluation	per month	151.48	151.48	151.48	151.48	151.48
Waste Evaluation Charge						
Type 1 evaluation	per occurrence	412.43	412.43	412.43	412.43	412.43
Type 2 evaluation	per occurrence	454.43	454.43	454.43	454.43	454.43
Grab Compliance	per occurrence	166.86	166.86	166.86	166.86	166.86
Excess Strength of Waste Surcharge						
Suspended Solids	per pound	0.0968	0.0968	0.0968	0.0968	0.0968
Biochemical Oxygen Demand	per pound	0.1235	0.1235	0.1235	0.1235	0.1235
Phosphorus	per pound	1.4575	1.4575	1.4575	1.4575	1.4575
Ammonia	per pound	0.3748	0.3748	0.3748	0.3748	0.3748

* Metered retail customers include residential, industrial, commercial, institutional and governmental
** "Other" includes all unmetered customers other than single family residential dwelling.

EXHIBIT A

FINAL 5-3-09

FORT WAYNE MUNICIPAL SEWAGE WORKS
Fort Wayne, IN

Table of Sewage Works Rates and Charges

	Unit of Measure	Effective date: July 1st 2009	July 1st 2010	July 1st 2011	July 1st 2012	July 1st 2013
Other Rates and Charges						
Town of Zanesvile						
Flat Rate Monthly Charge	per connection	67.00	67.00	67.00	67.00	67.00
Monthly Capital Surcharge						
Neuhause Extension	per connection	20.00	20.00	20.00	20.00	20.00
Tiernan Shed B	per connection	22.50	22.50	22.50	22.50	22.50
Rothman Road	per connection	22.50	22.50	22.50	22.50	22.50
Deer Track	per connection	47.95	47.95	47.95	47.95	47.95
Southtown	per connection	4.00	4.00	4.00	4.00	4.00
Upper Ely	per connection	20.00	20.00	20.00	20.00	20.00
Bulk Industrial Waste Charge						
Load	1,000 gallons	91.34	91.34	91.34	91.34	91.34
Billing Charge	per load	4.08	4.69	5.21	5.68	6.19
Bulk Domestic Waste Charge						
Load	1,000 gallons	54.77	54.77	54.77	54.77	54.77
Billing Charge	per load	4.08	4.69	5.21	5.68	6.19
Food Service Establishment Surcharge***	per ccf	0.9248	0.9248	0.9248	0.9248	0.9248
Contract Customers (1) (2)						
Town of Grabill						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	0.2880	TBD	TBD	TBD	TBD
Total	per ccf	1.6850				
Town of Huntertown						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	0.2905	TBD	TBD	TBD	TBD
Total	per ccf	1.6875				
Leo-Cedarville Regional Sewer District						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	0.2880	TBD	TBD	TBD	TBD
Total	per ccf	1.6850				
Maysville Regional Sewer District						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	0.2880	TBD	TBD	TBD	TBD
Total	per ccf	1.6850				
City of New Haven						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	0.0222	TBD	TBD	TBD	TBD
Total	per ccf	1.4192				
General Motors						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	1.3815	TBD	TBD	TBD	TBD
Total	per ccf	2.7785				

*** Previously known as the "Restaurant" Surcharge

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EXHIBIT A

FINAL 5-3-09

FORT WAYNE MUNICIPAL SEWAGE WORKS
Fort Wayne, IN

Table of Sewage Works Rates and Charges

	Unit of Measure	Effective date: July 1st 2009	July 1st 2010	July 1st 2011	July 1st 2012	July 1st 2013
Contract Customers (1) (2) Continued:						
Institutional Power Plant of Allen County						
Treatment	per ccf	1.7463	2.0082	2.2292	2.4298	2.6485
Conveyance	per ccf	1.7271	TBD	TBD	TBD	TBD
Total	per ccf	3.4734				
Allen County Regiona Water and Sewer District:						
Town of Arcola						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	1.0285	TBD	TBD	TBD	TBD
Total	per ccf	2.4255				
Canyon Run						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	0.2600	TBD	TBD	TBD	TBD
Total	per ccf	1.6570				
Hessen Cassel						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	0.1123	TBD	TBD	TBD	TBD
Total	per ccf	1.5093				
Mayhew						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	2.2130	TBD	TBD	TBD	TBD
Total	per ccf	3.6100				
Muldoon						
Treatment	per ccf	1.3970	1.6066	1.7833	1.9438	2.1187
Conveyance	per ccf	0.9373	TBD	TBD	TBD	TBD
Total	per ccf	2.3343				

(1) All of the above contract customers are subject to (reference inside city rates) :
1. Monthly Waste Evaluaton Charge per month
2. Monthly Billing Charge per bill
3. Excess Strength of Waste Surcharge per pound

(2) Conveyance rateswith Contract Customers will be discussed and individually negotiated over the next sixty to ninety days. Until that time, they will continue to be charged their current conveyance rate.

99

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: May 6, 2009

RE: 2005 Fort Wayne Municipal Building Corp - Fire Stations #18 & #19

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,500.00 to be paid from the proceeds of the 2005 FWMBC - Fire Stations #18 & #19 which are held in an escrow at Wells Fargo Corporate Trust Services.

Wells Fargo	1,500.00
Total for Payment Requests	**$ 1,500.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

May 6, 2009
Date

EMERGENCY RESOLUTION NUMBER_96-5-6-09-2
CARROLL ROAD SANITARY SEWER REPLACEMENT

WHEREAS, an existing 18" RCP sanitary sewer line needs to be replaced, on Carroll Road and;

WHEREAS, said replacement could not reasonably be foreseen and requires immediate action, and;

WHEREAS, replacement of the 18" RCP sanitary sewer line is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Fleming, Liberty Exc., T&E Exc., Allstar, Scheidleman, and Bercot were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 6th day of May ,2009.

BOARD OF PUBLIC WORKS

By Regina A. Kostoff
Regina Kostoff, Chair

By
Kumar Menon, Member

By John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

RESOLUTION NO. 2156-2009
EVARD ROAD ST. JOE ROAD STORM DRAINAGE IMPROVEMENTS

WHEREAS, stormwater drainage problem exists at 4000 and 4100 blocks of Evard Road in the City of Fort Wayne, Indiana; and

WHEREAS, Water Resources determined that this is a public problem and a repair is warranted; and

WHEREAS, Water Resources has developed an improvement plan to repair the stormwater drainage problem; and

WHEREAS, the improvement involves the installation of 425 LF of 10"- 18" Pipe, 5-Inlets and all required finished grading, seeding and restoration in the 4000 and 4100 block of Evard Rd. area; and

WHEREAS, Water Resources Dept. invited twelve (12) Contractors to submit invitational bids for said improvements.

WHEREAS, Water Resources Dept. and has received said invitational bids for said improvements as follow:

All Star Construction	**$23,980.00**	Geiger Developing	$34,688.00
Bercot, Inc.	$36,981.00	Kurtz Excavating	$No Bid
Crosby Excavating	$33,350.50	Land Construction	$41,873.00
Earth Construction	$No Bid	Pyramid Excavating	$27,751.00
Everett Drainage & Exc.	$31,545.60	Scheidleman Excavating	$38,159.69
Fleming Excavating	$38,363.50	Underground Contractors	$29,465.00
Engineer's Estimate	***$36,945.00***		

NOW, THEREFORE, the Board of Stormwater Management hereby declares a drainage improvement is necessary and requests the Purchasing Department to issue a Purchase Order to **All Star Construction in the amount of $23,980.00.**

Adopted, this 6th day of May, 2009.

BOARD OF STORMWATER MANAGEMENT

Robert P. Kennedy,
Chairman

John Suarez,
Member

Matthew A. Wirtz,
Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7230-09

SURFACE MILLING FOR STREET DEPARTMENT
WORK ORDER NO. 12122

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: BY THE MILLING OF ASPHALT TO A SPECIFIED DEPTH TO ACCEPT NEW ASPHALT PAVEMENT TO BE PLACED BY CITY OF FORT WAYNE STREET DEPARTMENT.

HOAGLAND AVE: PETTIT AVE TO MAPLE GROVE AVE
HOAGLAND AVE: MAPLE GROVE AVE TO SHERWOOD TERRACE
SHERWOOD TERRACE: WEBSTER ST. TO CALHOUN ST.
MAPLE GROVE AVE: 305 MAPLE GROVE AVE TO CALHOUN ST.
RADIAL LANE: HOAGLAND AVE TO SEMINOLE CIRCLE.
NORTH CORNELL CIRCLE: HOAGLAND AVE TO LEXINGTON AVE.
SOUTH CORNELL CIRCLE: RADIAL LANE TO CALHOUN ST.
SOUTH CORNELL CIRCLE: CALHOUN ST. TO RADIAL LANE
NORTH SEMINOLE CIRCLE: RADIAL LANE TO CALHOUN ST.
LEXINGTON AVE: CALHOUN ST TO HOAGLAND AVE
HARRISON ST: MAPLE GROVE AVE TO LEXINGTON AVE.
BROOKLYN AVE: COVINGTON RD TO 300' NORTH OF BLUFFTON RD.
PETTIT AVE: HANNA ST TO BOWSER AVE.
HARTMAN ROAD: 4707 HARTMAN ROAD TO 4707 HARTMAN ROAD

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 6th day of May, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: STREET DEPT - ASPHALT MILLING

RES. NO.: 7230-09
W.O. NO.: 12122

DATE: 4/30/09

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	SURFACE MILLING, ASPHALT	48,708	SY	$1.45	$70,626.60
2.	MOBILIZATION AND DEMOBILIZATION	1	LS	$3,531.33	$3,531.33
3.	MAINTENANCE OF TRAFFIC	1	LS	$4,237.60	$4,237.60

SUB-TOTAL:	78395.53
E&I @16%	12543.28
TOTAL:	**$90,938.81**

Revised: 02-13-04

BID

PROJECT: STREET DEPT - ASPHALT MILLING

RES. NO.: 7230-09
W.O. NO.: 12122

DATE: 4/30/09

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	SURFACE MILLING, ASPHALT	48,708	SY		
2.	MOBILIZATION AND DEMOBILIZATION	1	LS		
3.	MAINTENANCE OF TRAFFIC	1	LS		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
All work must be completed by : AUGUST 7, 2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

bid page no. 1.

_____
Contractors Signature

IMPROVEMENT RESOLUTION NO. 7223-09

JACKSON ST. & WILT ST. INTERSECTION RESTORATION
WORK ORDER NO. 12110

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: INTERSECTION OF JACKSON ST. & WILT ST. BY RECONSTRUCTING BRICK STREET, CONCRETE CURBS ADA PUBLIC CURB RAMPS, REHABILITATION OF STORM SEWERS & RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 13th day of May, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Jackson Street & Wilt Street Intersection Restoration

RES. NO.: 7223-09

DATE: 5/5/09

W.O. NO.: 12110

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL of CURB	150	LF	6.00	900.00
2.	REMOVAL of CONCRETE	100	SY	6.00	600.00
3.	REMOVAL of PAVEMENT (CONCRETE / BRICK)	280	SY	12.00	3360.00
4.	COMMON EXCAVATION (UNDISTRUBUTED)	30	CY	15.00	450.00
5.	CONCRETE CURB TYPE II - B	150	LF	15.00	2250.00
6.	CONCRETE CURB TYPE III	40	LF	20.00	800.00
7.	CONCRETE WINGWALK and RAMPS	100	SY	42.00	4200.00
8.	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'X4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	8	EA	300.00	2400.00
9.	CEMENT CONCRETE / BRICK PAVEMENT UTILIZING EXISTING BRICKS	140	SY	120.00	16800.00
10.	CEMENT CONCRETE / BRICK PAVEMENT UTILIZING SALVAGED (METROPOLITAN) BRICKS	140	SY	120.00	16800.00
11.	TYPE " O " COMPACTED AGGREGATE for BASE # 53 STONE	45	TON	15.00	675.00
12.	BED COURSE MATERIAL	20	TON	15.00	300.00
13.	TOP SOIL	10	TON	15.00	150.00
14.	HYDROSEEDING with POLYMER (Erosion Control)	20	SY	5.00	100.00
15.	WATER VALVES (CURB - BOX) ADJUSTED to GRADE	1	EA	40.00	40.00
16.	WATER VALVES ADJUSTED to GRADE	1	EA	100.00	100.00
17.	CATCH BASIN TYPE I - C	2	EA	2500.00	5000.00
18.	INLET TYPE I - C	2	EA	1500.00	3000.00
19.	STANDARD BARRICADE , TYPE III with SIGN	7	EA	125.00	875.00
20.	STANDARD BARRICADE , TYPE III	7	EA	75.00	525.00
21.	CONSTRUCTION SIGN, TYPE " A "	5	EA	40.00	200.00
22.	MAINTENACE of TRAFFIC	1	LS	2381.00	2381.00
23.	MOBILIZATION and DEMOBILIZATION	1	LS	2976.25	2976.25

SUB-TOTAL:	64882.25
E&I @25%	16220.56
TOTAL:	**$81,102.81**

Revised: 02-13-04

BID

PROJECT: Jackson Street & Wilt Street Intersection Restoration RES. NO.: 7223-09

DATE: 5/5/09 W.O. NO.: 12110

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL of CURB	150	LF		
2.	REMOVAL of CONCRETE	100	SY		
3.	REMOVAL of PAVEMENT (CONCRETE / BRICK)	280	SY		
4.	COMMON EXCAVATION (UNDISTRUBUTED)	30	CY		
5.	CONCRETE CURB TYPE II - B	150	LF		
6.	CONCRETE CURB TYPE III	40	LF		
7.	CONCRETE WINGWALK and RAMPS	100	SY		
8.	BRICK RED ADA SOLUTIONS OR ARMOR TILE REPLACEABLE 2' X 4' COMPOSITE WET SET TACTILE WARNING SURFACE UNITS	8	EA		
9.	CEMENT CONCRETE / BRICK PAVEMENT UTILIZING EXISTING BRICKS	140	SY		
10.	CEMENT CONCRETE / BRICK PAVEMENT UTILIZING SALVAGED (METROPOLITAN) BRICKS	140	SY		
11.	TYPE " O " COMPACTED AGGREGATE for BASE # 53 STONE	45	TON		
12.	BED COURSE MATERIAL	20	TON		
13.	TOP SOIL	10	TON		
14.	HYDROSEEDING with POLYMER (Erosion Control)	20	SY		
15.	WATER VALVES (CURB - BOX) ADJUSTED to GRADE	1	EA		
16.	WATER VALVES ADJUSTED to GRADE	1	EA		
17.	CATCH BASIN TYPE I - C	2	EA		
18.	INLET TYPE I - C	2	EA		
19.	STANDARD BARRICADE , TYPE III with SIGN	7	EA		
20.	STANDARD BARRICADE , TYPE III	7	EA		
21.	CONSTRUCTION SIGN, TYPE " A "	5	EA		
22.	MAINTENACE of TRAFFIC	1	LS		
23.	MOBILIZATION and DEMOBILIZATION	1	LS		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: July 24, 2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

_____
Contractors Signature

IMPROVEMENT RESOLUTION NO. 7235-09

OLD MILL ROAD PHASE III
WORK ORDER NO. 12107

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Old Mill Rd. from Fairfax Ave. to Old Farm Circle and Old Farm Circle from Old Mill Rd. to Indiana Ave. by reconstructing the existing street with new concrete pavement and installing underdrains.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 13th day of May, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Old Mill Rd. Pavement Reconstruction Phase III RES. NO.: 7235-09

DATE: 5/7/2009 W.O. NO.: 12107

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete Pavement	2090	SY	6.00	12540.00
2.	Cement Concrete Pavement, Plain 7" Incl."Type I-A curb"	2090	SY	25.00	52250.00
3.	Compacted aggregate for base "O" - #53	460	TON	15.00	6900.00
4.	Backfill For Behind Curbs	90	TON	10.00	900.00
5.	Top Soil	65	TON	15.00	975.00
6.	Hydroseeding with Polymer (Erosion Control)	400	SY	3.50	1400.00
7.	Construction Signs Type "A"	3	EA	50.00	150.00
8.	Standard Barricade, Type III with Lights & Signs	2	EA	100.00	200.00
9.	Standard Barricade, Type III	2	EA	70.00	140.00
10.	Underdrain, 6" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	500	LF	8.00	4000.00
11.	Sediguard Inlet Protection	4	EA	70.00	280.00
12.	Mobilization and Demobilization	1	LS	4000.00	4000.00
13.	Maintenance of Traffic	1	LS	4000.00	4000.00
14.	New Casting Type "C" Furnished and Adjusted to Grade	2	EA	450.00	900.00

SUB-TOTAL: 88635.00
E&I @20% 17727.00

TOTAL: $106,362.00

BID

PROJECT: Old Mill Rd. Pavement Reconstruction Phase III RES. NO.: 7235-09

DATE: W.O. NO.: 12107

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete Pavement	2090	SY		
2.	Cement Concrete Pavement, Plain 7" Incl."Type I-A curb"	2090	SY		
3.	Compacted aggregate for base "O" - #53	460	TON		
4.	Backfill For Behind Curbs	90	TON		
5.	Top Soil	65	TON		
6.	Hydroseeding with Polymer (Erosion Control)	400	SY		
7.	Construction Signs Type "A"	3	EA		
8.	Standard Barricade, Type III with Lights & Signs	2	EA		
9.	Standard Barricade, Type III	2	EA		
10.	Underdrain, 6" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	500	LF		
11.	Sediguard Inlet Protection	4	EA		
12.	Mobilization and Demobilization	1	LS		
13.	Maintenance of Traffic	1	LS		
14.	New Casting Type "C" Furnished and Adjusted to Grade	2	EA		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: August 31st 2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

_____
Contractors Signature

INFRASTRUCTURE SURETY
THE VILLAGE AT GLENBROOK
RESOLUTION NO. 96-5-13-09-01

WHEREAS, OMD Holdings – Lima Road, LLC, ("OMD") owns certain real estate located in the City of Fort Wayne, described and depicted in the attached Exhibit A, which real estate is named "The Village at Glenbrook" ("Real Estate"), and on which Real Estate OMD will construct and install a public street and related infrastructure, upon, over and through the rights-of-way and easements described and depicted in the attached Exhibit A; and

WHEREAS, OMD prepared a primary development plan for the Real Estate, which was approved by the City of Fort Wayne Plan Commission on October 27, 2008; and

WHEREAS, OMD has prepared a secondary development plan for the Real Estate, which OMD has requested that the City of Fort Wayne Plan Commission approve in order for OMD to proceed with development of the Real Estate; and

WHEREAS, pursuant to City of Fort Wayne Code Section 155.069, OMD must construct the public street and related infrastructure, or must provide a bond or other surety to the Board of Public Works, prior to approval of the secondary development plan; and

WHEREAS, the City of Fort Wayne and OMD have agreed to and are proceeding with development of the Real Estate, which satisfies the Board's surety requirement for construction of the public street and related infrastructure on the Real Estate, for approval of the secondary development plan.

NOW, THEREFORE, the Board of Public Works hereby declares that OMD Holdings – Lima Road, LLC, has provided satisfactory surety for construction of the public street and related infrastructure in the rights-of-way and easements in The Village at Glenbrook development, described and depicted in the attached Exhibit A, for Board approval of the secondary development plan for The Village at Glenbrook.

Adopted, this 13th day of May, 2009.

BOARD OF PUBLIC WORKS

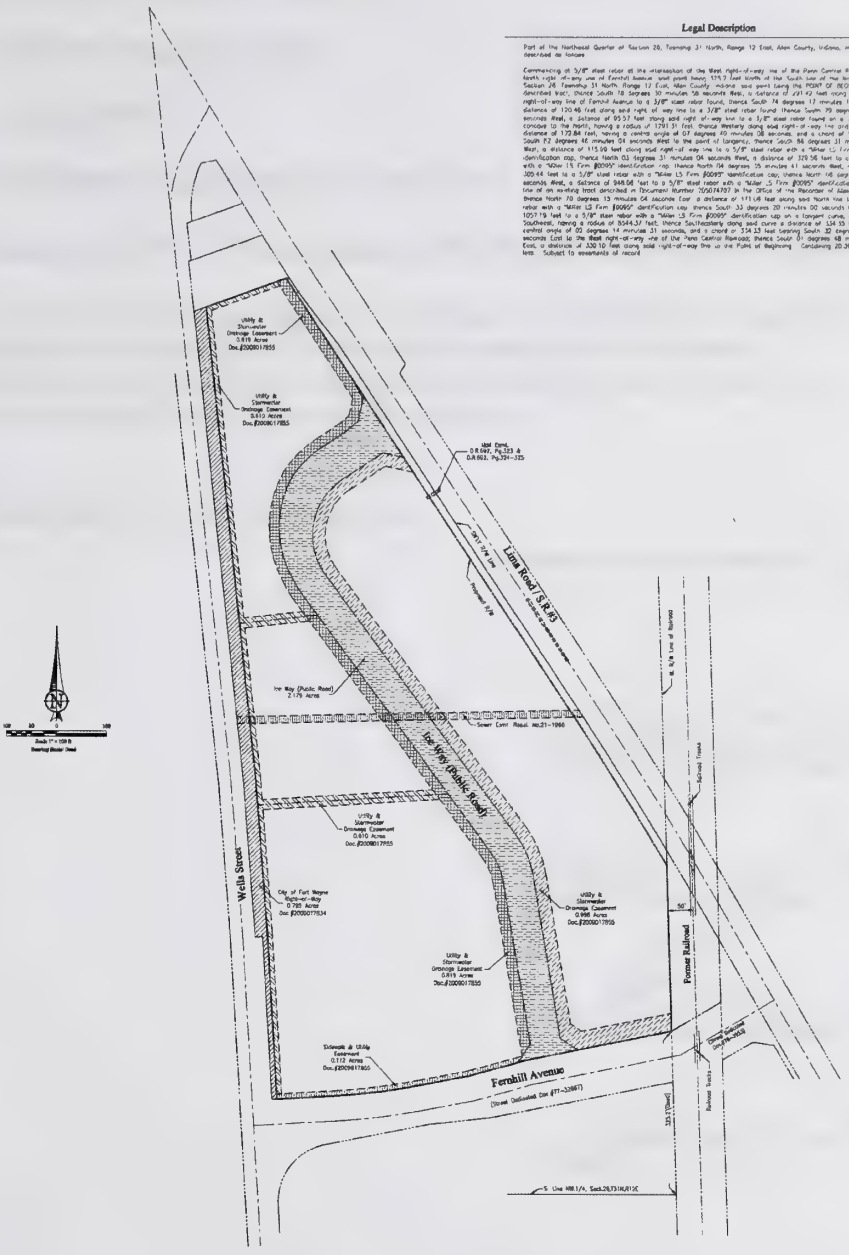
Regina A. Kostoff, Chair

Kumar Menon, Member

John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Exhibit A



I Brett R. Miller certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana; that to the best of my knowledge, information and belief all information shown hereon is true and accurate:

Brett R. Miller, PLS 20300059

BRETT R. MILLER — No. LS20300059 — STATE OF INDIANA — LAND SURVEYOR

Drawn by: BRM	Miller Land Surveying, Inc.	The Village at Glenbrook	REVISIONS	
Date: 4/29/09	CERTIFICATE OF SURVEY	Washington Twp. Sect.26,T31N,R12E	BY / DATE / DESCRIPTION	
Survey Number: 090319156	Precision and Professionalism is where we start the line.	Allen County, Indiana	BRM 5/4/09 Per county review	
Approved by: BRM				
Fieldwork Completed: 3/2/09		Secondary Development Plan		Page 1 of 1
Drawing Name: 090319156existing.dwg				
For: RCI Development				

221 Tower Drive, Wauseon, IN 46572 Phone: (260) 982-6166 Fax: (260) 493-6460
Brett R. Miller, PLS No.LS20300059 Robert J. Menard, PLS No.LS20600028 Larry W. Gross, PLS No.LS 8-0734

93

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: May 20, 2009

RE: 2002 FWMBC Transportation Building Project

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,800.00 to be paid from the proceeds of the 2002 FWMBC Transportation Building Project which are held in an escrow at Wells Fargo Corporate Trust Services.

Wells Fargo Corporate Trust Services	1,800.00
Total for Payment Request	**$ 1,800.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

May 20, 2009
Date

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: May 20, 2009

RE: 2009 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $94,089.25 to be paid from the proceeds of the 2009 Passenger Vehicle Lease Financing which are held in an escrow at SunTrust Bank.

Payment Request #3

Ray O'Herron	42,180.00
Barney's Auto Electric	51,909.25
Total for Payment Request	**$ 94,089.25**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

May 20 2009
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: May 18, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$551,819.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the 3RFP North Pump Building, the St. Joe Dam Pump Station, the 3RFP Filter Valve Replacement project and the Lake Ave. Water Main Extension.

Draw #235	Hagerman Construction	$ 221,229.00
Draw #236	HNTB Corp.	13,434.00
Draw #237	Weigand Construction & Star Financial Bank	13,667.00
Draw #238	City Utilities – Ft. Wayne Municipal Waterworks.	27,470.00
Draw #239	Fleming Excavating & First Merchants Bank	276,019.00
	Total Payments	**$551,819.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

May 20, 2009
Date

RESOLUTION NO. 2106-2009

Rain Garden Program – Demonstration Gardens

WHEREAS, the City of Fort Wayne has agreed to install 20 demonstration rain gardens as part of the Consent Decree; and

WHEREAS, Water Resources has developed an implementation plan to begin installing said demonstration rain gardens; and

WHEREAS, the improvement involves the installation construction of 6 demonstration rain gardens located at Northrop High School, Northwood Middle School, Weisser Park Elementary, Lakeside Middle School, John S. Irwin Elementary, and St. Francis University; all associated with the Rain Garden Program; and

WHEREAS, Water Resources Dept. invited eight (8) contractors to submit invitational bids for said improvements.

WHEREAS, Water Resources Dept. and has received said invitational bids for said improvements as follow:

Heartland Restoration	$53,111.00
Mainscape Landscape Maintenance Services	$28,924.00
Engineer's Estimate	***$39,400.00***

NOW, THEREFORE, the Board of Public Works hereby declares these demonstration rain gardens are necessary and requests the Purchasing Department to issue a Purchase Order to **Mainscape Landscape Maintenance Services in the amount of $28,924.00.**

Adopted, this 20th day of May, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff
Chair

John Suarez,
Member

Kumar Menon,
Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

RESOLUTION NO. 2106-2009

Rain Garden Program – Demonstration Gardens

WHEREAS, the City of Fort Wayne has agreed to install 20 demonstration rain gardens as part of the Consent Decree; and

WHEREAS, Water Resources has developed an implementation plan to begin installing said demonstration rain gardens; and

WHEREAS, the improvement involves the installation construction of 6 demonstration rain gardens located at Northrop High School, Northwood Middle School, Weisser Park Elementary, Lakeside Middle School, John S. Irwin Elementary, and St. Francis University; all associated with the Rain Garden Program; and

WHEREAS, Water Resources Dept. invited eight (8) contractors to submit invitational bids for said improvements.

WHEREAS, Water Resources Dept. and has received said invitational bids for said improvements as follow:

Heartland Restoration	$53,111.00
Mainscape Landscape Maintenance Services	$28,924.00
Engineer's Estimate	***$39,400.00***

NOW, THEREFORE, the Board of Public Works hereby declares these demonstration rain gardens are necessary and requests the Purchasing Department to issue a Purchase Order to **Mainscape Landscape Maintenance Services in the amount of $28,924.00.**

Adopted, this 20th day of May, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff
Chair

John Suarez,
Member

Kumar Menon,
Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BRAUN DRAIN – WOODBINE AVE.
STORM DRAINAGE IMPROVEMENTS

RESOLUTION NO. 2102-2009

RESOLUTION by the Board of Storm water Management of the City of Fort Wayne, Indiana, that:

Orders the construction of approximately 1,220 LF of 15-36 inch storm sewer pipe with all appurtenant manholes, inlets, special structures and drainage swales; all associated with the drainage improvements of Braun Drain and Woodbine Ave. north of Cook Road.

Declares said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled "BRAUN DRAIN – WOODBINE AVE. STORM DRAINAGE IMPROVEMENTS".

Declares the cost of said improvements shall be paid by STORMWATER UTILITY FUNDS.

Declares the "BRAUN DRAIN – WOODBINE AVE. STORM DRAINAGE IMPROVEMENTS" project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares the "BRAUN DRAIN – WOODBINE AVE. STORM DRAINAGE IMPROVEMENTS" project is of public utility and benefit.

Declares the "BRAUN DRAIN – WOODBINE AVE. STORM DRAINAGE IMPROVEMENTS" project does not require the acquisition of property rights.

Declares the engineer's estimate of "BRAUN DRAIN – WOODBINE AVE. STORM DRAINAGE IMPROVEMENTS" project's total cost is $230,000.

Declares the "BRAUN DRAIN – WOODBINE AVE. STORM DRAINAGE IMPROVEMENTS" project will not change fees currently paid by property owners in the area.

ADOPTED THIS 20th **DAY OF** May, **2009**

BOARD OF STORMWATER MANAGEMENT

BY: _____
Robert P. Kennedy, Chairman

BY: _____
John Suarez, Member

BY: _____
Matthew A. Wirtz, Member

RESOLUTION NO. 2106-2009

Rain Garden Program – Demonstration Gardens

WHEREAS, the City of Fort Wayne has agreed to install 20 demonstration rain gardens as part of the Consent Decree; and

WHEREAS, Water Resources has developed an implementation plan to begin installing said demonstration rain gardens; and

WHEREAS, the improvement involves the installation construction of 6 demonstration rain gardens located at Northrop High School, Northwood Middle School, Weisser Park Elementary, Lakeside Middle School, John S. Irwin Elementary, and St. Francis University; all associated with the Rain Garden Program; and

WHEREAS, Water Resources Dept. invited three (3) Contractors to submit invitational bids for said improvements.

WHEREAS, Water Resources Dept. and has received said invitational bids for said improvements as follow:

Heartland Restoration	$7,458.15
JF New	$8,337.59
Mainscape Landscape Maintenance Services	$16,559.80
Engineer's Estimate	***$10,000.00***

NOW, THEREFORE, the Board of Public Works hereby declares these demonstration rain gardens are necessary and requests the Purchasing Department to issue a Purchase Order to **Heartland Restoration in the amount of $7,458.15.**

Adopted, this 20th day of May, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff
Chair

John Suarez,
Member

Kumar Menon,
Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

RESOLUTION #96-5-20-09-1
BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE

WHEREAS, the City of Fort Wayne, Indiana ("City"), owns, operates and maintains a municipal sewage works ("Utility"), by and through the Fort Wayne Board of Public Works ("Board"); and,

WHEREAS, the Board, after careful and due consideration, finds it to be in the best interests of the Utility and the customers thereof that the Utility proceeds to continue and finalize its proposed plans to construct additions, extensions and improvements to the Utility, all of which is hereafter collectively referred to as "Project"; and,

WHEREAS, the Board has found that it is in the further best interests of the Utility and the customers thereof to permanently finance the Project through the issuance of one or more series of sewage works revenue bonds and bond anticipation notes; and,

WHEREAS, the Board finds that the legal determination to authorize the issuance of such financing rests exclusively with the Common Council of the City of Fort Wayne, Indiana ("Common Council"); and,

WHEREAS, the Board desires to take such steps as are necessary and convenient to permit the Project to proceed immediately;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Fort Wayne Board of Public Works that:

1. It is in the best interests of the Utility and the customers thereof that the Project proceed immediately.

2. The Board does hereby recommend to the Common Council that the City issue its sewage works revenue bonds and bond anticipation notes in an aggregate amount not to exceed $265,000,000, to be repaid over a period not to exceed twenty-five (25) years, at an interest rate not to exceed 8% percent.

3. There is attached to this resolution and made a part hereof the same as if fully set forth herein, a proposed ordinance authorizing the Project, the issuance of the bonds and bond anticipation notes, and other matters connected therewith, which the Utility Board hereby recommends to the Common Council for its adoption.

4. All resolutions or parts thereof in conflict herewith are hereby repealed.

5. This resolution shall be in full force and effect upon adoption.

Passed and adopted this 20th day of May, 2009

CITY OF FORT WAYNE
Board of Public Works

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

Attest: Marilyn Huth
Marilyn Huth, Clerk

BILL NO. S-09-05-13

SPECIAL ORDINANCE NO. S-65-09.

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AUTHORIZING THE ACQUISITION AND INSTALLATION OF CERTAIN IMPROVEMENTS TO THE CITY'S SEWAGE WORKS, THE ISSUANCE AND SALE OF ADDITIONAL REVENUE BONDS TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS THEREOF, AND THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH SEWAGE WORKS AND OTHER RELATED MATTERS

WHEREAS, the City of Fort Wayne, Indiana (the "City") owns and operates a sewage works by and through its Board of Public Works (the "Board") for the collection and treatment of sewage and other wastes (the "Sewage Works"), pursuant to the provisions of Indiana Code 36-9-23, as in effect on the date of delivery of the bonds authorized herein (the "Act"); and

WHEREAS, the Board has determined and recommended to the Common Council of the City (the "Common Council") that certain improvements and extensions to the Sewage Works, as more fully set forth in summary fashion in Exhibit A hereto and made a part hereof (the "Project"), are necessary; and

WHEREAS, the City has employed consulting engineers (the "Consulting Engineers") to prepare and file plans, specifications, and estimates of the costs of the Project, which plans, specifications and estimates, to the extent required by law, have been duly submitted to and approved or will be approved by all governmental authorities having jurisdiction thereover, including, without limitation, the Indiana Department of Environmental Management (the "Department"); and

WHEREAS, the Common Council finds that the estimates prepared and delivered by the Consulting Engineers with respect to the costs (as defined in Indiana Code 36-9-23-11) of the Project, and including all costs relating thereto, including the costs of issuance of bonds and BANs (as hereinafter defined) on account of the financing of all or a portion thereof, is in the estimated amount of Two Hundred Sixty-five Million Dollars ($265,000,000); and

WHEREAS, the Common Council finds that to provide funds necessary to pay for the costs of the Project, it will be necessary for the City to issue sewage works revenue bonds, in one or more series, in an aggregate amount not to exceed Two Hundred Sixty-five Million Dollars ($265,000,000) and, if necessary, bond anticipation notes ("BANs"); and

WHEREAS, pursuant to Ordinance No. S-63-97 adopted by the Common Council on July 1, 1997, as amended by Ordinance No. S-21-98 adopted by the Common Council on February 24, 1998 (collectively, the "1998 Bond Ordinance"), the City has heretofore issued two series of revenue bonds payable from the net revenues of the Sewage Works, with the first series designated as "Sewage Works Junior Revenue Bonds of 1998, Series A" (the "1998 A Bonds"), outstanding after August 1, 2008, in the amount of $3,615,000, bearing interest at various rates and maturing in various amounts annually on August 1 in the years 2009 to and including 2012, and the second series of bonds designated as "Sewage Works Junior Revenue Bonds of 1998, Series B" (the "1998 B Bonds"), outstanding after August 1, 2008, in the amount of $5,740,000, bearing interest at various rates and maturing in various amounts annually on August 1 in the years 2009 to and including 2012; and

WHEREAS, pursuant to Ordinance No. S-01-02-23 adopted by the Common Council on January 8, 2002, as amended by Ordinance No. S-02-04-13, adopted by the Common Council on May 14, 2002 (collectively, the "2002 Bond Ordinance"), the City heretofore issued two series of revenue bonds payable from the net revenues of the Sewage Works with the first series designated as "Junior Sewage Works Revenue Bonds, Series 2002 A" (the "2002 A Bonds") outstanding after August 1, 2008, in an aggregate principal amount of $19,225,000 bearing interest at four percent (4.0%) and maturing in various amounts annually on August 1 in the years 2009 to 2023, and the second series of bonds designated as "Junior Sewage Works Refunding and Improvement Revenue Bonds, Series 2002 B (the "2002 B Bonds"), outstanding after August 1, 2008, in the amount of $10,950,000 bearing interest at various rates and maturing in various amounts annually on August 1 in the years 2009 to 2017; and

WHEREAS, pursuant to Ordinance No. S-126-02 adopted by the Common Council on October 22, 2002 (the "2002 C Bond Ordinance"), the City has heretofore issued revenue bonds payable from the net revenues of the Sewage Works, designated as "Sewage Works Junior Revenue Bonds, Series 2002 C" (the "2002 C Bonds"), outstanding after August 1, 2008, in the amount of $3,815,000, bearing interest at various rates and maturing in various amounts annually on August 1 in the years 2009 to and including 2017; and

WHEREAS, pursuant to Ordinance No. S-44-03 adopted by the Common Council on April 8, 2003 (the "2003 Bond Ordinance"), the City has heretofore issued revenue bonds payable from the net revenues of the Sewage Works,

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designated as "Sewage Works Junior Revenue Bonds, Series 2003" (the "2003 Bonds"), outstanding after August 1, 2008, in the amount of $8,835,000, bearing interest at various rates and maturing in various amounts annually on August 1 in the years 2009 to and including 2018; and

WHEREAS, pursuant to Ordinance No. S-129-05 adopted by the Common Council on August 23, 2005 (the "2005 Bond Ordinance), the City has heretofore issued revenue bonds payable from the net revenues of the Sewage Works, designated as "Sewage Works Revenue Bonds, Series 2005" (the "2005 Bonds"), outstanding after August 1, 2008, in the amount of $35,440,000, bearing interest at various rates and maturing in various amounts annually on August 1 in the years 2009 to and including 2025; and

WHEREAS, pursuant to Ordinance No. 5-07-05-26 adopted by the Common Council on June 12, 2007 (the "2007 Bond Ordinance" and with the 1998 Bond Ordinance, the 2002 Bond Ordinance, the 2002 C Bond Ordinance, the 2003 Bond Ordinance and the 2005 Bond Ordinance, the "Prior Ordinances"), the City has heretofore issued revenue bonds payable from the net revenues of the Sewage Works, designated as "Sewage Works Revenue Bonds, Series 2007" (the "2007 Bonds" and with the 1998 A Bonds, the 1998 B Bonds, the 2002 A Bonds, the 2002 B Bonds, the 2002 C Bonds, the 2003 Bonds and the 2005 Bonds, the "Prior Bonds"), outstanding after August 1, 2008, in the amount of $23,445,000, bearing interest at various rates and maturing in various amounts annually on August 1 in the years 2009 to and including 2027; and

WHEREAS, the Prior Bonds each rank on a parity with each other and each constitute a first charge against the net revenues of the Sewage Works; and

WHEREAS, Sections 16 and 29(f) of the 1998 Bond Ordinance and Section 16 of the 2002 Ordinance, Section 16 of the 2002 C Ordinance, Section 16 of the 2003 Ordinance, Section 16 of the 2005 Ordinance and Section 16 of the 2007 Ordinance, each authorize the issuance of additional revenue bonds ranking on a parity basis with the Prior Bonds for such purposes, so long as certain conditions are met; and

WHEREAS, the Common Council has been advised by the City's financial advisor and now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of revenue bonds on a parity basis with the Prior Bonds to provide the necessary funds to be applied to the costs of the Project and all authorized costs relating thereto have been complied with in accordance with the provisions of the Act and the Prior Ordinances; and

WHEREAS, the City has previously purchased the sewage works facilities of the Town of Zanesville and, in connection with such purchase, assumed the obligation of payment for certain outstanding sewage works revenue bonds of the Town of Zanesville ("Zanesville Bonds"); the City's obligation to pay the principal of and interest on the Zanesville Bonds is a charge upon the net revenues of the City's Sewage Works, but payment of the Zanesville Bonds is junior and subordinate to the payment of the Prior Bonds and any bonds issued in the future on a parity with the Prior Bonds, including the bonds issued under this ordinance; and

WHEREAS, the City will enter into one or more Financial Assistance Agreements with the Indiana Finance Authority ("Authority") as part of its wastewater loan program established and existing pursuant to IC 4-4-11 and IC 13-18-13 ("SRF Program"), pertaining to all or a portion of the Project and the financing thereof ("Financial Assistance Agreement"); and

WHEREAS, the Common Council desires to authorize the issuance of BANs hereunder, if necessary, in one or more series, payable solely from the proceeds of the bonds issued hereunder and to authorize the refunding of the BANs, if issued; and

WHEREAS, the Common Council therefore seeks to authorize the issuance of revenue bonds and BANs to finance the Project pursuant to the Act and the sale of one or more series of such revenue bonds and one or more series of BANs pursuant to the provisions of the Act, subject to and dependent upon the terms and conditions hereinafter set forth; and

WHEREAS, the City reasonably expects to reimburse certain preliminary costs of the Project with proceeds of debt to be incurred by the City in an amount not to exceed $265,000,000; and

WHEREAS, the Common Council has been advised that it may be cost efficient to purchase municipal bond insurance and one or more debt service reserve sureties for the bonds authorized herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

Section 1. Authorization of the Project. The City, acting by and through the Board and as the owner and operator of the Sewage Works for the collection and

treatment of sewage and other wastes, hereby orders, authorizes and directs the Board to proceed with the Project, pursuant to the Act and in accordance with the plans, specifications and cost estimates prepared and filed with the Board by the Consulting Engineers, which plans, specifications and cost estimates are hereby adopted and approved and, by reference, incorporated fully into this Ordinance, and two copies of which are now on file in the office of the Board and are open for public inspection. The actions of the Board in connection with the Project are hereby authorized, approved, ratified and confirmed.

Where used in this ordinance, the term "City" shall be construed also to include any department, board, commission or officer or officers of the City or of any City department, board or commission. The terms "Sewage Works," "sewage works," "works" and similar terms used in this ordinance shall be construed to mean and include the Treatment Works, as defined in the Financial Assistance Agreement entered into between the City and the Authority, the existing structures and property of the Sewage Works and all enlargements, improvements, extensions and additions thereto, and replacements thereof, now or subsequently constructed or acquired, from the proceeds of the bonds authorized herein or otherwise. Such Project shall be constructed and the bonds and BANs herein authorized shall be issued pursuant to the provisions of this ordinance and the Act.

Section 2. Issuance of BANs and Bonds; Reimbursement. (a) The City hereby authorizes the Controller of the City ("Controller") to prepare and issue, if necessary, the BANs for the purpose of procuring interim financing to apply on the cost of the Project. The BANs may be issued, in one or more series, in an aggregate

amount not to exceed Two Hundred Sixty-five Million Dollars ($265,000,000) to be designated "[Taxable] Sewage Works Bond Anticipation Notes of _____" (to be completed with the year in which issued and appropriate series designation, if any). Each series of BANs shall be sold at not less than par value if sold to the Authority as part of its SRF Program or not less than 99% of the par value thereof if sold to any other purchaser, shall be numbered consecutively from 1 upward, shall be in any multiple of One Dollar ($1), as designated in the Purchase Agreement (as hereinafter defined), shall be dated as of the date of delivery thereof, and shall bear interest at a rate not to exceed 6% per annum (the exact rate or rates to be determined through negotiations with the purchaser of the BANs) payable upon maturity. Each series of BANs will mature no later than five (5) years after their date of delivery. The BANs are subject to renewal or extension at an interest rate or rates not to exceed 6% per annum (the exact rate or rates to be negotiated with the purchaser of the BANs). The term of the BANs and all renewal BANs may not exceed five years from the date of delivery of the initial BANs. The BANs shall be registered in the name of the purchasers thereof. Notwithstanding any thing in this ordinance to the contrary, any series of BANs issued hereunder, may bear interest that is taxable and included in the gross income of the owners thereof. If any such BANs are issued on a taxable basis, the designated name shall include the term "Taxable" as the first word in the designated name.

The BANs shall be issued pursuant to IC 5-1.5-8-6.1 if sold to the Indiana Bond Bank, pursuant to IC 4-4-11 and IC 13-18-13 if sold to the Authority, or pursuant to IC 5-1-14-5 if sold to a financial institution or any other purchaser. The

City shall pledge to the payment of the principal of and interest on the BANs the proceeds from the issuance of the bonds pursuant to and in the manner prescribed by the Act (unless the BANs are forgiven pursuant to the terms of the Loan Forgiveness as set forth in the Financial Assistance Agreement). The bonds will be payable out of and constitute a first charge against the Net Revenues (herein defined as gross revenues after deduction only for the payment of the reasonable expenses of operation, repair and maintenance) of the Sewage Works of the City, on a parity with the Prior Bonds, subject to such bonds meeting the parity conditions set forth in the Prior Ordinances.

(b) In accordance with the Act and for the purpose of providing funds with which to pay the costs of the Project, providing funds for the hereinafter defined Reserve Accounts, all authorized costs relating to the Project and the financing, including the costs of issuance of the Bonds, as hereinafter defined, on account thereof, and any premiums for bond insurance and debt service reserve sureties, the City shall issue and sell its sewage works revenue bonds, in one or more series, in the aggregate principal amount not to exceed Two Hundred Sixty-five Million Dollars ($265,000,000). The principal of, redemption premium, if any, and interest on the Bonds shall be payable, on a parity basis with the Prior Bonds, solely out of the Sewage Works Sinking Fund referred to below.

The Bonds shall be issued in one or more series designated as the "[Taxable]Sewage Works Revenue Bonds of 20_____" to be completed with the year in which issued and the appropriate series designation, if any (the "Bonds"). Each series of Bonds shall be issued as fully registered bonds in the denomination of

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One Dollar ($1) or integral multiples thereof if sold to the Authority as part of its SRF Program, or in denominations of $5,000 or integral multiples thereof if sold to any other purchaser. The Bonds shall be numbered consecutively from 1 up and shall bear interest at a rate not exceeding eight percent (8%) per annum, the exact rate or rates to be determined by bidding or through negotiation with the Authority through its SRF Program or the Indiana Bond Bank. Interest on the Bonds shall be calculated on the basis of twelve (12) thirty (30)-day months for a three hundred and sixty (360)-day year and shall be payable semiannually on February 1 and August 1 in each year, commencing on the first February 1 or the first August 1, following the original date of the Bonds as determined by the Controller, with the advice of the City's financial advisor. The principal of the Bonds shall mature annually on August 1 of each year, over a period ending no later than twenty (20) years after substantial completion of the Project (as determined under the Financial Assistance Agreement) for any Bonds sold to the Authority as part of its SRF Program, and in such amounts that will allow the City to meet the coverage and/or amortization requirements of the SRF Program. Such debt service schedule for any Bonds sold to the Authority as part of its SRF Program shall be finalized and set forth in the Financial Assistance Agreement. For any Bonds not sold to the Authority as part of its SRF Program, such Bonds shall mature annually on August 1 of each year, over a period not to exceed twenty-five (25) years and in amounts that either (i) produce as level annual debt service as practicable with $5,000 denominations, taking into account the annual debt service on the Prior Bonds and all other series of Bonds

issued under this ordinance, or (ii) produce forecasted coverage to allow the successful marketing of the Bonds.

All or a portion of the Bonds may be issued as one or more term bonds, upon election of the purchaser. Such term bonds shall have a stated maturity or maturities in the years as determined by the successful bidder, but in no event later than the final serial maturity date of the Bonds as determined in the above paragraph. The term bonds shall be subject to mandatory sinking fund redemption and final payment(s) at maturity at 100% of the principal amount thereof, plus accrued interest to the redemption date, on principal payment dates which are hereinafter determined in accordance with the above paragraph.

Each series of Bonds shall rank on a parity with the other for all purposes, including the pledge of Net Revenues under this ordinance.

The Bonds shall bear an original issue date which shall be the date of issuance of the Bonds or the first day of the month in which the Bonds are delivered, as determined by the Controller, with the advice of the City's financial advisor, and each Bond shall also bear the date of its authentication.

Notwithstanding anything in this ordinance to the contrary, any series of Bonds issued hereunder, may bear interest that is taxable and included in the gross income of the owners thereof. If any such Bonds are issued on a taxable basis, the designated name shall include the term "Taxable" as the first word in the designated name.

Notwithstanding anything contained herein, the City may accept any other forms of financial assistance, as and if available, from the SRF Program (including

without limitation any forgivable loans, grants or other assistance whether available as an alternative to any Bond or BAN related provision otherwise provided for herein or as a supplement or addition thereto). If required by the SRF Program to be eligible for such financial assistance, one or more of the series of the Bonds issued hereunder may be issued on a basis such that the payment of the principal of or interest on such series of Bonds is junior and subordinate to the payment of the principal of and interest on other series of Bonds issued hereunder (and/or any other revenue bonds secured by a pledge of Net Revenues, whether now outstanding or hereafter issued), all as provided by the terms of such series of Bonds as modified pursuant to this authorization. Such financial assistance, if any, shall be as provided in the Financial Assistance Agreement and the Bonds of each series of Bonds issued hereunder (including any modification made pursuant to the authorization in this paragraph to the form of Bond otherwise contained herein).

(c) The Mayor and Controller are authorized, on behalf of the City, to select and appoint a qualified financial institution to serve as Registrar and Paying Agent for the Bonds, which Registrar is hereby charged with the responsibility of authenticating the Bonds ("Registrar" or "Paying Agent"). The Controller is hereby authorized, on behalf of the Board, to enter into such agreements or understandings with such institution as will enable the institution to perform the services required of a Registrar and Paying Agent. The Controller is further authorized to pay such fees as the institution may charge for the services it provides as Registrar and Paying Agent, and such fees may be paid from the Sewage Works Sinking Fund established to pay the principal of and interest on the Bonds and fiscal agency charges.

As to the BANS and as to the Bonds, if any purchaser does not object to such designation, the Controller may serve as Registrar and Paying Agent and is hereby charged with the duties of a Registrar and Paying Agent.

If any Bonds or BANs are sold to the Authority as part of its SRF Program, the principal of and interest thereon shall be paid by wire transfer to such financial institution if and as directed by the Authority on the due date of such payment or, if such due date is a day when financial institutions are not open for business, on the business day immediately after such due date. So long as the Authority is the owner of the Bonds or BANs, such Bonds and BANs shall be presented for payment as directed by the Authority.

If wire transfer payment is not required and for any Bonds not sold to the Authority, the principal of the Bonds shall be payable at the principal office of the Paying Agent and all payments of interest on the Bonds shall be paid by check mailed one business day prior to the interest payment date to the registered owners thereof, as the names appear as of the fifteenth day of the month preceding the interest payment date ("Record Date"), at the addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner on or before such Record Date. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to

wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time).

All payments on the BANs and Bonds shall be made in any coin or currency of the United States of America, which on the date of such payment, shall be legal tender for the payment of public and private debts.

Each Bond shall be transferable or exchangeable only upon the books of the City kept for that purpose at the principal office of the Registrar, by the registered owner thereof in person, or by its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the City. The City and the Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent upon giving 30 days' notice in writing to the City and by first class mail to each registered owner of the Bonds then outstanding, and such resignation will take effect at the end of such 30 day period or upon the earlier appointment of a successor registrar and paying agent by the City. Any such notice to the City may be

served personally or sent by registered mail. The Registrar and Paying Agent may be removed at any time as Registrar and Paying Agent by the City, in which event the City may appoint a successor registrar and paying agent. The City shall notify each registered owner of the Bonds then outstanding by first class mail of the removal of the Registrar and Paying Agent. Notices to the registered owners of the Bonds shall be deemed to be given when mailed by first class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar.

Upon the appointment of any successor registrar and paying agent by the City, the Controller is authorized and directed to enter into such agreements and understandings with such successor registrar and paying agent as will enable the institution to perform the services required of a registrar and paying agent for the Bonds. The Controller is further authorized to pay such fees as the successor registrar and paying agent may charge for the services it provides as registrar and paying agent and such fees may be paid from the Sewage Works Sinking Fund as set forth in Section 12 hereof. Any predecessor registrar and paying agent shall deliver all of the Bonds and any cash or investments in its possession with respect thereto, together with the registration books, to the successor registrar and paying agent.

Interest on any Bonds sold to the Authority as part of its SRF Program shall be payable from the date or dates of payments made by the Authority as part of its purchase of the Bonds as set forth in the Financial Assistance Agreement. Interest on all other Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date of the Bonds unless the Bonds

are authenticated after the Record Date and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless the Bonds are authenticated on or before the Record Date preceding the first interest payment date, in which case they shall bear interest from the original date until the principal shall be fully paid.

(d) The City has determined that it may be beneficial to have the Bonds held by a central depository system pursuant to an agreement between the City and The Depository Trust Company, New York, New York ("Depository Trust Company") and have transfers of the Bonds effected by book-entry on the books of the central depository system ("Book Entry System"). The Bonds may be initially issued in the form of a separate single authenticated fully registered bond for the aggregate principal amount of each separate maturity of the Bonds. In such case, upon initial issuance, the ownership of such Bonds shall be registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company.

With respect to the Bonds registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, the City and the Paying Agent shall have no responsibility or obligation to any other holders or owners (including any beneficial owner ("Beneficial Owner")) of the Bonds with respect to (i) the accuracy of the records of the Depository Trust Company, CEDE & CO., or any Beneficial Owner with respect to ownership questions, (ii) the delivery to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any notice with respect to the Bonds including

any notice of redemption, or (iii) the payment to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any amount with respect to the principal of, or premium, if any, or interest on the Bonds except as otherwise provided herein.

No person other than the Depository Trust Company shall receive an authenticated Bond evidencing an obligation of the City to make payments of the principal of and premium, if any, and interest on the Bonds pursuant to this ordinance. The City and the Registrar and Paying Agent may treat as and deem the Depository Trust Company or CEDE & CO. to be the absolute bondholder of each of the Bonds for the purpose of (i) payment of the principal of and premium, if any, and interest on such Bonds; (ii) giving notices of redemption and other notices permitted to be given to bondholders with respect to such Bonds; (iii) registering transfers with respect to such Bonds; (iv) obtaining any consent or other action required or permitted to be taken of or by bondholders; (v) voting; and (vi) for all other purposes whatsoever. The Paying Agent shall pay all principal of and premium, if any, and interest on the Bonds only to or upon the order of the Depository Trust Company, and all such payments shall be valid and effective fully to satisfy and discharge the City's and the Paying Agent's obligations with respect to principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. Upon delivery by the Depository Trust Company to the City of written notice to the effect that the Depository Trust Company has determined to substitute a new nominee in place of CEDE & CO., and subject to the provisions herein with respect to consents, the words "CEDE & CO." in this resolution shall refer to such new nominee of the

Depository Trust Company. Notwithstanding any other provision hereof to the contrary, so long as any Bond is registered in the name of CEDE & CO., as nominee of the Depository Trust Company, all payments with respect to the principal of and premium, if any, and interest on such Bonds and all notices with respect to such Bonds shall be made and given, respectively, to the Depository Trust Company as provided in a representation letter from the City to the Depository Trust Company.

Upon receipt by the City of written notice from the Depository Trust Company to the effect that the Depository Trust Company is unable or unwilling to discharge its responsibilities and no substitute depository willing to undertake the functions of the Depository Trust Company hereunder can be found which is willing and able to undertake such functions upon reasonable and customary terms, then the Bonds shall no longer be restricted to being registered in the register of the City kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, but may be registered in whatever name or names the bondholders transferring or exchanging the Bonds shall designate, in accordance with the provisions of this resolution.

If the City determines that it is in the best interest of the bondholders that they be able to obtain certificates for the fully registered Bonds, the City may notify the Depository Trust Company and the Registrar, whereupon the Depository Trust Company will notify the Beneficial Owners of the availability through the Depository Trust Company of certificates for the Bonds. In such event, the Registrar shall prepare, authenticate, transfer and exchange certificates for the Bonds as requested by the Depository Trust Company and any Beneficial Owners in

appropriate amounts, and whenever the Depository Trust Company requests the City and the Registrar to do so, the Registrar and the City will cooperate with the Depository Trust Company by taking appropriate action after reasonable notice (i) to make available one or more separate certificates evidencing the fully registered Bonds of any Beneficial Owner's Depository Trust Company account or (ii) to arrange for another securities depository to maintain custody of certificates for and evidencing the Bonds.

If the Bonds shall no longer be restricted to being registered in the name of the Depository Trust Company, the Registrar shall cause the Bonds to be printed in blank in such number as the Registrar shall determine to be necessary or customary; provided, however, that the Registrar shall not be required to have such Bonds printed until it shall have received from the City indemnification for all costs and expenses associated with such printing.

In connection with any notice or other communication to be provided to bondholders by the City or the Registrar with respect to any consent or other action to be taken by bondholders, the City or the Registrar, as the case may be, shall establish a record date for such consent or other action and give the Depository Trust Company notice of such record date not less than fifteen (15) calendar days in advance of such record date to the extent possible.

So long as the Bonds are registered in the name of the Depository Trust Company or CEDE & CO. or any substitute nominee, the City and the Registrar and Paying Agent shall be entitled to request and to rely upon a certificate or other written representation from the Beneficial Owners of the Bonds or from the

Depository Trust Company on behalf of such Beneficial Owners stating the amount of their respective beneficial ownership interests in the Bonds and setting forth the consent, advice, direction, demand or vote of the Beneficial Owners as of a record date selected by the Registrar and the Depository Trust Company, to the same extent as if such consent, advice, direction, demand or vote were made by the bondholders for purposes of this ordinance and the City and the Registrar and Paying Agent shall for such purposes treat the Beneficial Owners as the bondholders. Along with any such certificate or representation, the Registrar may request the Depository Trust Company to deliver, or cause to be delivered, to the Registrar a list of all Beneficial Owners of the bonds, together with the dollar amount of each Beneficial Owner's interest in the Bonds and the current addresses of such Beneficial Owners.

(e) In the event any Bond is mutilated, lost, stolen or destroyed, the City may cause to be executed and the Registrar may authenticate a new Bond of like date, maturity, series and denomination as the mutilated, lost, stolen or destroyed Bond, which new Bond shall be marked in a manner to distinguish it from the Bond for which it was issued; provided, that in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the Registrar, and in the case of any lost, stolen or destroyed Bond there shall be first furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the City and the Registrar, together with indemnity satisfactory to them. In the event that any such mutilated, lost, stolen or destroyed Bond shall have matured or been called for redemption, instead of causing to be issued a duplicate Bond, the Registrar and Paying Agent may pay the same upon surrender of the mutilated Bond or upon satisfactory indemnity and

proof of loss, theft or destruction in the case of a lost, stolen or destroyed Bond. The City and the Registrar and Paying Agent may charge the owner of any such Bond with their reasonable fees and expenses in connection with the above. Every substitute Bond issued by reason of any Bond being lost, stolen or destroyed shall, with respect to such Bond, constitute a substitute contractual obligation of the City pursuant to this ordinance, whether or not the lost, stolen or destroyed Bond shall be found at any time, and shall be entitled to all the benefits of this ordinance, equally and proportionately with any and all other Bonds duly issued hereunder.

In the event that any Bond is not presented for payment or redemption on the date established therefor, the City may deposit in trust with the Paying Agent an amount sufficient to pay such Bond or the redemption price thereof, as appropriate, and thereafter the owner of such Bond shall look only to the funds so deposited in trust with the Paying Agent for payment and the City shall have no further obligation or liability with respect thereto.

(f) The City hereby declares its official intent to complete the Project; to reimburse certain costs of completing the Project with proceeds of debt to be incurred by the City, and to issue debt not exceeding $265,000,000 in aggregate principal amount for purposes of paying and reimbursing costs of the Project.

Section 3. Redemption of BANs and Bonds. (a) The BANs are prepayable by the City, in whole or in part, on any date, upon 7 days' notice to the owner of the BANs, without any premium.

(b) For any Bonds not sold to the Authority as part of its SRF Program, the Bonds are redeemable at the option of the City, but no sooner than ten (10) years

from their date of issuance, on thirty (30) days' notice, in whole or in part, in the order of maturity as determined by the City and by lot within a maturity, at face value, together with a premium no greater than 2%, plus in each case accrued interest to the date fixed for redemption. The exact redemption features shall be determined by the Controller with the advice of the City's financial advisor prior to the sale of the Bonds.

For any Bonds sold to the Authority as part of its SRF Program, such Bonds are redeemable at the option of the City, but no sooner than ten (10) years after their date of delivery, and thereafter on any date, on sixty (60) days' notice, in whole or in part, in inverse order of maturity, and by lot within a maturity, at face value together with a premium no greater than 2%, plus accrued interest to the date fixed for redemption. The exact redemption dates and premiums shall be established by the Controller, with the advice of the City's financial advisor, prior to the sale of the Bonds.

If any Bond is issued as a term bond, the Paying Agent shall credit against the mandatory sinking fund requirement for the Bonds maturing as term bonds, and corresponding mandatory redemption obligation, in the order determined by the City, any Bonds maturing as term bonds which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Bond maturing as a term bond so delivered or canceled shall be credited by the Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund

obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Bonds to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Bonds maturing as term bonds to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption date.

Each authorized denomination amount shall be considered a separate bond for purposes of optional and mandatory redemption. If less than an entire maturity is called for redemption, the Bonds to be called for redemption shall be selected by lot by the Registrar. If some Bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the Bonds for optional redemption before selecting the Bonds by lot for the mandatory sinking fund redemption.

(c) In either case, notice of such redemption shall be given not less than sixty (60) days, for any Bonds sold to the Authority as part of its SRF Program or sold to the Indiana Bond Bank, and at least thirty (30) days for any Bonds sold to another purchaser, prior to the date fixed for redemption by mail unless the notice is waived by the registered owner of a Bond. Such notice shall be mailed to the address of the registered owners as shown on the registration records of the City as of the date which is sixty-five (65) days for any Bonds sold to the Authority as part of its SRF Program or sold to the Indiana Bond Bank, and forty-five (45) days for any Bonds sold to another purchaser, prior to such redemption date. The notice shall specify the date and place of redemption and sufficient identification of the Bonds

called for redemption. The place of redemption shall be determined by the City. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the principal office of the Paying Agent to pay the redemption price on the date so named. Coincidentally with the payment of the redemption price, the Bonds so called for redemption shall be surrendered for cancellation.

Section 4. Execution and Authentication of the Bonds and BANs. The Bonds and BANs shall be executed in the name of the City by the manual or facsimile signature of the Mayor of the City (the "Mayor"), countersigned by the manual or facsimile signature of the Controller and attested by the manual or facsimile signature of the Clerk of the City (the "Clerk"), who shall cause the seal of the City or a facsimile thereof to be affixed to each of the Bonds and BANs. These officials, by the signing of a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures their facsimile signatures appearing on the Bonds and BANs. The Bonds shall be authenticated by the manual signature of the Registrar, and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed. In case any official whose signature appears on any Bond or BAN shall cease to be such official before the delivery of such Bond or BAN, the signature of such official shall nevertheless be valid and sufficient for all purposes, the same as if such official had been in office at the time of such delivery. Subject to the provisions of this ordinance regarding the registration of the Bonds, the Bonds shall be fully negotiable instruments under the laws of the State of Indiana.

Section 5. Security and Sources of Payment for the Bonds. The Bonds, as and to the extent paid for and delivered to the purchaser thereof as to both principal and interest, shall be valid and binding special revenue obligations of the City, payable solely from and secured by an irrevocable pledge of and constituting a charge upon all of the Net Revenues to be set aside into the Sewage Works Sinking Fund as herein provided and shall rank on a parity with the Prior Bonds and senior to the Zanesville Bonds. The City shall not be obligated to pay the Bonds or the interest thereon except from the Net Revenues of the Sewage Works, and the Bonds shall not constitute an indebtedness of the City within the meaning of the provisions and limitations of the constitution of the State of Indiana.

Section 6. Form of the Bonds. The form and tenor of the Bonds shall be substantially as set forth in Exhibit B attached hereto and incorporated herein as if set forth at this place (with all blanks to be filled in properly and all necessary additions and deletions to be made prior to the delivery thereof).

Section 7. Issuance, Sale and Delivery of the BANs and the Bonds; Official Statement.

(a) Generally. The Controller is hereby authorized and directed to have the BANs and Bonds prepared, and the Mayor, the Controller and the Clerk are each hereby authorized and directed to execute, and attest as appropriate, the BANs and the Bonds in the form and manner herein provided. The Controller is hereby authorized and directed to deliver the BANs and the Bonds to the respective purchasers thereof after sale made in accordance with the provisions of this ordinance, provided that at the time of said delivery the Controller shall collect the

full amount which the respective purchasers have agreed to pay therefor, which amount shall not be less than par value of the BANs if sold to the Authority as part of its SRF Program or not less than 99% of the par value of the BANs if sold to any other purchaser, or not less than par value of the Bonds if sold to the Authority as part of its SRF Program, and not less than 97.5% of the par value of the Bonds if sold to any other purchaser, as the case may be. Payment for the BANs and any Bonds sold to the Authority as a part of its SRF Program may be made in installments. Each series of Bonds herein authorized and delivered to the purchaser shall be the binding special revenue obligations of the City. The proceeds derived from the sale of the Bonds and BANs shall be and are hereby set aside for application on the cost of the Project hereinbefore referred to, the refunding of the BANs, if issued, and the expenses necessarily incurred in connection with the BANs and Bonds. The proper officers of the City are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary to carry out the provisions of this ordinance.

(b) Public Sale of any Series of Bonds. If any Bonds are sold by public sale, prior to the sale of the Bonds, the Controller shall cause to be published either (i) a notice of bond sale in the *Fort Wayne News-Sentinel* and *The Journal Gazette*, the only newspapers published in the City, two times, at least one week apart, the first publication made at least fifteen (15) days before the date of the sale and the second publication being made at least three (3) days before the date of the sale, or (ii) a notice of intent to sell in the newspapers described in (i) above and the *Court & Commercial Record*, all in accordance with IC 5-1-11 and IC 5-3-1. The

notice of such sale or a summary thereof may also be published in *The Bond Buyer*, a financial journal published in the City and State of New York and/or in other publications, in the discretion of the Controller. The notice must state that any person interested in submitting a bid for the Bonds may furnish in writing, at the address set forth in the notice, the person's name, address, and telephone number, and that any such person may also furnish a telex number. The notice may also state: (1) the amount of the Bonds to be offered; (2) the denominations; (3) the dates of maturity; (4) the maximum rate or rates of interest; (5) the place of sale; and (6) the time within which the name, address and telephone number must be furnished, which time must not be less than seven (7) days after the last publication of the notice, if a notice of intent to sell is used. If a notice of intent is used, each person so registered shall be notified of the date and time bids will be received not less than twenty-four (24) hours before the date and time of sale. The notification shall be made by telephone at the number furnished by the person, and also by telex if the person furnishes a telex number. A notice may also include such other information as the Controller shall deem necessary. Such notice may also provide, among other things, that bids will be accepted electronically, that each bid shall be accompanied by a certified or cashier's check or financial surety bond in an amount equal to one percent (1%) of the principal amount of the Bonds to guarantee performance on the part of the bidder, and that in the event the successful bidder shall fail or refuse to accept delivery of and pay for the Bonds as soon as the Bonds are ready for delivery, or at the time fixed in the notice, then such check or financial surety bond and the proceeds thereof shall become the property of the

City and shall be considered as the City's liquidated damages on account of such default.

All bids for the Bonds shall be sealed and shall be presented to the Controller at the Controller's office (or such other place as the Controller shall designate), and the Controller shall continue to receive all bids offered until the time fixed for the sale of the Bonds, at which time and place the Controller shall open and consider each bid. Bidders for the Bonds shall be required to name the rate or rates of interest which the Bonds are to bear, not exceeding eight percent (8%) per annum. Such interest rate or rates shall be in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%). Bids specifying more than one interest rate shall also specify the amount and maturities of the Bonds bearing each rate, and all Bonds maturing on the same date shall bear the same rate of interest. The interest rate on Bonds of a given maturity must be at least as great as the interest rate on Bonds of any earlier maturity. The Controller shall award the Bonds to the bidder offering the lowest net interest cost to the City, to be determined by computing the total interest on all of the Bonds from the date thereof to their maturities, deducting therefrom the premium bid, if any, and adding thereto the amount of any discount. No bid for less than 97.5% of the par value of the Bonds (or such higher percentage of the par value of the Bonds as the Controller, with the advice of the financial advisor to the City, shall determine prior to the publication of the notice) will be considered. The Controller shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed for the sale of the Bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter

for a period not to exceed thirty (30) days, without readvertising, pursuant to Indiana law.

Distribution of an Official Statement (preliminary and final) prepared by Crowe Horwath LLP, on behalf of the City, is hereby approved and the Mayor or the Controller are authorized and directed to execute the Official Statement on behalf of the City in a form consistent with this ordinance. The Mayor or the Controller are hereby authorized to designate the preliminary Official Statement as "nearly final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission ("Rule").

(c) As an alternative to public sale, the Controller may negotiate the sale of any series of the Bonds to the Indiana Bond Bank at an interest rate or rates not exceeding 8% per annum. The Mayor and the Controller are hereby authorized to: (i) submit an application to the Indiana Bond Bank; (ii) execute a purchase agreement with the Indiana Bond Bank with terms conforming to this ordinance and (iii) sell such Bonds upon such terms as are acceptable to the Mayor and the Controller consistent with the terms of this ordinance.

If any Bonds are sold to the Indiana Bond Bank, upon delivery of the Bonds, the City may obtain an investment letter from the Indiana Bond Bank which satisfies federal and state securities laws applicable to the Bonds. The Mayor, the Controller and the Clerk are hereby authorized to execute and deliver other agreements and certificates to effect a sale to the Indiana Bond Bank.

(d) As an alternative to public sale, the Controller may negotiate the sale of any series of Bonds to the Authority as a part of its SRF Program. The Mayor and

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the Controller are hereby authorized to: (i) submit an application to the Authority as a part of its SRF Program; (ii) execute a Financial Assistance Agreement with the Authority with terms conforming to this ordinance; and (iii) sell such Bonds upon such terms as are acceptable to the Mayor and the Controller consistent with the terms of this ordinance. The substantially final form of Financial Assistance Agreement attached to this ordinance is incorporated herein by reference is hereby approved by the Common Council, and the Mayor and Controller are hereby authorized to execute and deliver the same, and to approve any changes in form or substance to the Financial Assistance Agreement, which are consistent with the terms of this ordinance, such changes to be conclusively evidenced by its execution.

Section 8. Credit Enhancement; Opinion of Bond Counsel. (a) In the event the financial advisor to the City certifies to the City that it would be economically advantageous for the City to obtain a municipal bond insurance policy, the City hereby authorizes the purchase of such an insurance policy. The acquisition of a municipal bond insurance policy is hereby deemed economically advantageous in the event the difference between the present value cost of (a) the debt service on the Bonds if issued without municipal bond insurance and (b) the total debt service on the Bonds if issued with municipal bond insurance, is greater than the cost of the premium on the municipal bond insurance policy. If such an insurance policy is purchased, the Mayor and the Controller are herby authorized to execute and delivery all agreements with the provider of the insurance policy to the extent necessary to comply with the terms of such insurance policy and the commitment to

issue such policy. Such agreement shall be deemed a part of this ordinance for all purposes and is hereby incorporated hereby by reference.

(b) Prior to the delivery of any series of Bonds or BANs, the City shall obtain a legal opinion as to the validity of the Bonds and BANs from Ice Miller LLP, Indianapolis, Indiana, bond counsel for the City, with such opinion to be furnished to the purchasers of the Bonds and BANs at the expense of the City. The costs of obtaining any such insurance, other credit enhancement and/or credit ratings, together with bond counsel's fee in preparing and delivering such opinions and in the performance of related services in connection with the issuance, sale and delivery of the Bonds and BANs, shall be considered as a part of the cost of the Project and shall be paid out of the proceeds of the Bonds or BANs, as the case may be.

Section 9. Disposition of Proceeds of the Bonds and BANs; City of Fort Wayne Sewage Works Construction Account. The proceeds from the sale of the Bonds and BANs shall be deposited and applied as follows:

(a) The accrued interest, if any, and any premium received at the time of delivery of the Bonds shall be deposited in the Sewage Works Sinking Fund continued by this ordinance. Any proceeds of the Bonds to be used for deposits into the Reserve Accounts shall be deposited into either the hereinafter defined Reserve Account or the SRF Reserve Account, as the case may be.

(b) The remaining proceeds from the sale of the Bonds and BANs shall be deposited in a bank or banks which are legally qualified depositories for the funds of the City, in the special account to be designated as "City of Fort Wayne

Sewage Works Construction Account" (the "Construction Account"). Amounts in the Construction Account shall be expended only for the purpose of paying the costs of the Project, as described in this ordinance and in the Act, refunding the BANs if issued, together with all authorized costs relating thereto, including the costs of issuance of the Bonds and BANs, and as otherwise permitted or required by the Act and this ordinance. Any balance or balances remaining unexpended in the Construction Account after completion of the Project, which are not required to meet unpaid obligations incurred in connection with the construction of the Project, shall be used solely for one or more of the purposes permitted under the provisions of Indiana Code 5-1-13, as amended. Pursuant to the Act, the owners of the Bonds shall be entitled to a lien on the proceeds of the Bonds until such proceeds are applied as required by this ordinance and by Indiana law.

(c) With respect to any Bonds sold to the Authority as part of its SRF Program, to the extent that (a) the total principal amount of the Bonds is not paid by the purchaser or drawn down by the City or (b) proceeds remain in the Construction Account and are not applied to the Project (or any modifications or additions thereto approved by the Department and the Authority), the City shall reduce the principal amount of the Bond maturities to effect such reduction in a manner that will still achieve the annual debt service as described in Section 2 subject to and upon the terms set forth in the Financial Assistance Agreement.

Section 10. Segregation and Application of Sewage Works Revenues. All revenues derived from the operation of the Sewage Works and from the collection of

sewage rates and charges shall be deposited in a special fund of the City (the "Revenue Fund") and segregated and kept separate and apart from all other funds and bank accounts of the City. Out of said revenues the proper and reasonable expenses of operation, repair and maintenance of the Sewage Works shall be paid, the principal and interest of all bonds and fiscal agency charges of bank paying agents shall be paid, debt service reserves shall be funded, and the costs of replacements, extensions, additions and improvements shall be paid as hereinafter provided. Payments in lieu of taxes shall be made not more frequently than semiannually on June 30 and December 31 and may be made only if all monthly deposits required by this ordinance are current and held as of such dates in the Operation and Maintenance Fund and the Sewage Works Sinking Fund (each as defined herein). Other than the payments in lieu of taxes, no moneys derived from the revenues of the Sewage Works shall be transferred to the General Fund of the City or be used for any purpose not connected with the Sewage Works. All moneys deposited in the Revenue Fund may be invested in accordance with IC 5-13-9, as amended and supplemented including pursuant to IC 4-4-11 and IC 13-18-13.

Section 11. Operation and Maintenance Fund. The Operation and Maintenance Fund is hereby created. Any funds held in the Sewage Works Operation and Maintenance Fund created and continued by the Prior Ordinances shall be held in the Operation and Maintenance Fund in accordance with this Section 11 upon adoption of this ordinance. On the last day of each calendar month, revenues of the Sewage Works shall be transferred from the Revenue Fund to the Operation and Maintenance Fund. The balance maintained in this Fund shall be

sufficient to pay the expenses of operation, repair and maintenance for the then next succeeding two calendar months. The moneys credited to this Fund shall be used for the payment of the reasonable and proper operation, repair and maintenance expenses of the sewage works on a day-to-day basis, but none of the moneys in such Fund shall be used for depreciation, replacements, improvements, extensions or additions. Any monies in said Fund in the excess of the expected expenses of operation, repair and maintenance for the next succeeding month may be transferred to the Sewage Works Sinking Fund if necessary to prevent a default in the payment of principal of or interest on the outstanding bonds of the Sewage Works.

Section 12. Sewage Works Sinking Fund. (a) The special fund designated the "Sewage Works Sinking Fund," created under Ordinance No. 1939, adopted on July 26, 1938, and continued under the Prior Ordinances is hereby continued and designated as the special fund for the payment of the interest on and principal of the Bonds and the payment of any fiscal agency charges in connection with the payment of the Bonds and interest thereon. There shall be set aside and deposited in the Sewage Works Sinking Fund ("Sinking Fund"), as available, and as hereinafter provided, a sufficient amount of the Net Revenues of the Sewage Works to meet the requirements of the Bond and Interest Account hereby created and the Reserve Accounts (as hereinafter defined) hereby continued in the Sinking Fund. The special account within the Sinking Fund designated as the "1998/2002/2007 Sewage Works Reserve Account" created by the 1998 Bond Ordinance and redesignated by the 2002 Bond Ordinance and the 2007 Bond Ordinance, is hereby redesignated as the "Sewage Works Reserve Account," which account is

hereby continued as a debt service reserve for all Prior Bonds except those initially purchased by or for the account of the SRF Program and is constituted as a debt service reserve for any Bonds issued hereunder which are not initially purchased by or for the account of the SRF Program. The 2002 SRF Reserve Account created by and defined in the 2002 Bond Ordinance is hereby continued and redesignated as the "SRF Reserve Account." The SRF Reserve Account is hereby continued as a debt service reserve for the Prior Bonds which were initially purchased by or for the account of the SRF Program and shall serve as the debt service reserve for all Bonds issued hereunder which are initially purchased by or for the account of the SRF Program. Such payments shall continue until the balances in the Bond and Interest Account and the Reserve Accounts, equal the principal of and interest on all of the then outstanding bonds of the Sewage Works to their final maturity.

(b) Bond and Interest Account. There is hereby created, within the Sewage Works Sinking Fund, the Bond and Interest Account. There shall be credited on the last day of each calendar month from the Revenue Fund to the Bond and Interest Account an amount of the Net Revenues equal to at least one-twelfth (1/12) of the principal and at least one-sixth (1/6) of the interest on all then outstanding bonds payable on the then next succeeding principal and interest payment dates until the amount of interest and principal payable on the then next succeeding respective interest and principal payment dates shall have been so credited. There shall similarly be credited to the account any amount necessary to pay the bank fiscal agency charges for paying principal and interest on the then outstanding bonds as the same becomes payable. The City shall, from the sums deposited in the Sinking Fund

and credited to the Bond and Interest Account, remit promptly to the registered owner or to the bank fiscal agency sufficient moneys to pay the interest on the due dates thereof together with the amount of bank fiscal agency charges.

(c) Reserve Accounts. On the date of delivery of any series of Bonds which are not initially purchased by or for the account of the SRF Program, funds on hand of the Sewage Works, Bond proceeds, a debt service reserve surety bond ("Surety Bond"), or a combination thereof may be deposited into the Sewage Works Reserve Account ("Reserve Account") hereby continued. The balance to be maintained in the Reserve Account shall equal but not exceed the least of (i) maximum annual debt service on the Prior Bonds (not initially purchased by or for the account of the SRF Program), Bonds (not initially purchased by or for the account of the SRF Program) and any parity bonds issued in the future by the City which are payable from Net Revenues of the Sewage Works ("Parity Bonds") and not initially purchased by or for the account of the SRF Program; (ii) 125% of average annual debt service on the Prior Bonds (not initially purchased by or for the account of the SRF Program), the Bonds (not initially purchased by or for the account of the SRF Program) and any Parity Bonds (not initially purchased by or for the account of the SRF Program) or (iii) 10% of the proceeds of the Prior Bonds (not initially purchased by or for the account of the SRF Program), the Bonds (not initially purchased by or for the account of the SRF Program) and any Parity Bonds (not initially purchased by or for the account of the SRF Program) ("Reserve Requirement"). If the initial deposit into the Reserve Account does not cause the balance therein to equal the Reserve Requirement or if no deposit is made, a sum of

Net Revenues shall be credited to the Reserve Account on the last day of each calendar month until the balance therein equals the Reserve Requirement. The monthly deposits of Net Revenues shall be equal in amount and sufficient to accumulate the Reserve Requirement within twelve (12) months of the date of delivery of the Bonds. The Reserve Account shall not secure and may not be used to pay the Zanesville Bonds, or any Prior Bonds, Bonds or Parity Bonds which are initially purchased by or for the account of the SRF Program.

On the date of delivery of any series of Bonds which are initially purchased by or for the account of the SRF Program, funds on hand of the Sewage Works, Bond proceeds, a Surety Bond, or a combination thereof may be deposited into the SRF Reserve Account (collectively, with the Reserve Account, referred to as "Reserve Accounts") hereby continued. The balance to be maintained in the SRF Reserve Account shall equal the maximum annual debt service on the Prior Bonds (initially purchased by or for the account of the SRF Program), the Bonds initially purchased by or for the account of the SRF Program and any Parity Bonds initially purchased by or for the account of the SRF Program ("SRF Reserve Requirement"); provided, however, the SRF Reserve Requirement is defined as the initial reserve requirement, and the amount held therein will be decreased on the second day of each January to the maximum annual debt service on the then outstanding Prior Bonds, Bonds and Parity Bonds initially purchased by or for the account of the SRF Program in the then present or any succeeding year, and provided, further than the City shall give 15 days prior written notice to the Authority before transferring funds out of the SRF Reserve Account. If the initial deposit into the SRF Reserve Account

does not cause the balance therein to equal the SRF Reserve Requirement or if no deposit is made, a sum of Net Revenues shall be credited to the SRF Reserve Account on the last day of each calendar month until the balance therein equals the SRF Reserve Requirement. The monthly deposits of Net Revenues shall be equal in amount and sufficient to accumulate the SRF Reserve Requirement within twelve (12) months of the date of delivery of the Bonds. The SRF Reserve Account shall not secure and may not be used to pay the Zanesville Bonds, or any Prior Bonds, Bonds or Parity Bonds which are not initially purchased by or for the account of the SRF Program.

The Surety Bond must be issued by an insurance company rated (at the time the Surety Bond is purchased) in the highest rating category by Standard & Poor's Corporation or Moody's Investors Service. However, as long as any of the Prior Bonds or Bonds initially purchased by or for the account of the SRF Program, the City shall receive consent of the Authority before funding any portion of the SRF Reserve Account with such Surety Bond. If such a Surety Bond is purchased, the Mayor and the Controller are hereby authorized to execute and deliver all agreements with the provider of the Surety Bond to the extent necessary to comply with the terms of such Surety Bond and the commitment to issue such policy. Such agreements shall be deemed a part of this ordinance for all purposes and are hereby incorporated herein by reference.

The respective Reserve Accounts shall constitute the margin for safety and a protection against default in the payment of principal and interest on the respective Prior Bonds, the Bonds and any Parity Bonds which they respectively secure, and

moneys in the respective Reserve Accounts shall be used to pay current principal and interest on the respective Prior Bonds, the Bonds and any Parity Bonds which they respectively secure to the extent that moneys in the Bond and Interest Account, after applied on a pro rata basis to any outstanding Prior Bonds, Bonds and Parity Bonds, are insufficient for that purpose. Any deficiency in the balances maintained in the respective Reserve Accounts shall be promptly made up from the next available Net Revenues remaining after credits into the Bond and Interest Account on a pro rata basis within a twelve (12) month period. Any moneys in the respective Reserve Accounts in excess of the Reserve Requirement or the SRF Reserve Requirement shall be transferred to the Sewage Works Improvement Fund.

(d) If any Bonds are initially purchased by or for the account of the SRF Program, the Sewage Works Sinking Fund, containing the Bond and Interest Account and the Reserve Accounts, and the Construction Account may be held by a financial institution acceptable to the Authority, pursuant to terms acceptable to the Authority. If all or a portion of the Sewage Works Sinking Fund and the accounts therein are held in trust, the City shall transfer the monthly required amounts of Net Revenues to the Bond and Interest Account and the Reserve Accounts in accordance with this Section 12, and the financial institution holding such funds in trust shall be instructed to pay the required payments in accordance with the payment schedules for the City's outstanding bonds. The financial institution selected to serve in this role may also serve as the Registrar and the Paying Agent for such Bonds. If the Construction Account is held in trust, the City shall deposit the proceeds of such Bonds therein until such proceeds are applied consistent with this ordinance and the

Financial Assistance Agreement. The Common Council hereby authorizes the Mayor and Controller to execute and deliver an agreement with a financial institution to reflect this trust agreement for all or a part of the Sewage Works Sinking Fund and the Construction Account in the form of trust agreement as approved by the Mayor and the Controller, consistent with the terms and provisions of this ordinance.

Section 13. Sewage Works Improvement Fund. After meeting the requirements of the Operation and Maintenance Fund and the Sinking Fund, any excess revenues may be transferred or credited from the Revenue Fund to the "Sewage Works Improvement Fund," hereby created, and said Fund shall be used for replacements, additions, improvements and extensions of the Sewage Works or for any other lawful purpose, so long as such use pertains to and involves the business of the Sewage Works. Any funds held in the Sewage Works Replacement Fund created and continued by the Prior Ordinances shall be held in the Sewage Works Improvement Fund in accordance with this Section 13 upon adoption of this ordinance. Moneys in the Sewage Works Improvement Fund shall be transferred to the Sewage Works Sinking Fund if necessary to prevent a default in the payment of principal of or interest on the then outstanding bonds or, if necessary, to eliminate any deficiencies in credits to or minimum balance in the Reserve Accounts of the Sewage Works Sinking Fund or may be transferred to the Operation and Maintenance Fund to meet unforeseen contingencies in the operation, repair and maintenance of the Sewage Works.

Section 14. Books of Record and Accounts; Continuing Disclosure. (a) The City shall keep proper books of record and accounts, separate from all of its other

records and accounts, in which completed and correct entries shall be made showing all revenues collected from said works and deposited in said funds, and all disbursements made therefrom on account of the operation of the works, and to meet the requirements of the Sewage Works Sinking Fund, and all other financial transactions relating to said works, including the amounts set aside or credited to the Sinking Fund, the Operation and Maintenance Fund and the Sewage Works Improvement Fund, and the cash balances in each of said funds and accounts described herein as of the close of the preceding fiscal year. Upon written request, there shall be prepared and furnished to the original purchaser of the Bonds, and to any owner of the Bonds at the time then outstanding, not more than one hundred twenty (120) days after the close of each fiscal year, complete financial statements of the works, covering the preceding fiscal year, which annual statements shall be certified by the Controller, or by licensed independent public accountants employed for that purpose. Copies of all such statements and reports shall be kept on file in the office of the Controller. Any owner or owners of the Bonds then outstanding shall have the right at all reasonable times to inspect the works and all records, accounts and data of the City relating thereto. Such inspections may be made by representatives duly authorized by written instrument.

(b) If any of the Bonds are subject to the Rule, the Mayor or the Controller are authorized to execute and deliver a continuing disclosure agreement in satisfaction of the Rule.

(c) So long as any of the Prior Bonds or Bonds are held by the Authority, the City shall establish and maintain the books and other financial records of the

Project (including the establishment of a separate account or subaccount for the Project) and the Sewage Works in accordance with (i) generally accepted governmental accounting standards for utilities, on an accrual basis, as promulgated by the Government Accounting Standards Board and (ii) the rules, regulations and guidance of the State Board of Accounts.

Section 15. Rates and Charges. The City covenants and agrees that it will establish and maintain just and equitable rates or charges for the use of and the services rendered by said works, to be paid by the owner of each and every lot, parcel of real estate or building that is connected with and uses said Sewage Works by or through any part of the Sewage Works system of the City, or that in any way uses or is served by such Sewage Works, and that such rates or charges shall be sufficient in each year to produce Net Revenues equal to 1.1 times the greater of the average annual debt service on the Prior Bonds, the Bonds and any Parity Bonds or the debt service payable during the next succeeding twelve calendar months on the Prior Bonds, the Bonds and any Parity Bonds. For these purposes, the interest rate on variable rate debt shall be assumed to be the average interest rate thereon in the preceding calendar year.

Such rates or charges shall, if necessary, be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of Operation and Maintenance (as defined in the Financial Assistance Agreement) of the Sewage Works and the requirements of the Sewage Works Sinking Fund . The rates or charges so established shall apply to any and all use of such Sewage Works by and service rendered to the City and all departments thereof

and shall be paid semi-annually by the City or the various departments thereof as the charges accrue.

Section 16. Defeasance. If, when the Bonds issued hereunder (or portions thereof) shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds (or portions thereof) for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds (or portions thereof) then outstanding shall be paid; or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys, or (iii) time certificates of deposit fully secured as to both principal and interest by obligations of the kind described in (ii) above of a bank or banks the principal of and interest on which when due will provide sufficient moneys, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds (or portions thereof) issued hereunder shall no longer be deemed outstanding or entitled to the pledge of the Net Revenues of the City's Sewage Works.

Section 17. Additional Bonds. The City reserves the right to authorize and issue additional BANs at any time ranking on a parity with the BANs. The City also reserves the right to authorize and issue additional Parity Bonds, payable out of the Net Revenues of its Sewage Works, ranking on a parity with the Bonds authorized by this ordinance, for the purpose of financing the cost of future

additions, extensions and improvements to the Sewage Works, or to refund obligations, subject to the following conditions:

(a) The interest on and principal of all bonds payable from the revenues of the Sewage Works shall have been paid to date in accordance with the terms thereof, provided, this condition shall be deemed satisfied if any required amount is to be provided from the proceeds of the Parity Bonds or other funds of the City, and all required payments into the Sinking Fund shall have been made in accordance with the provisions of this ordinance.

(b) As of the date of issuance of such additional Parity Bonds, the balance in the Reserve Account shall equal not less than the Reserve Requirement, and the balance in the SRF Reserve Account shall equal not less than the SRF Reserve Requirement, calculated to include principal and interest requirements on the Bonds, any then outstanding parity bonds and the additional Parity Bonds proposed to be issued, provided this condition shall be deemed satisfied if any required amount is to be provided from the proceeds of the newly issued Parity Bonds or other funds of the City over a period of no longer than five (5) years following the delivery of the Parity Bonds.

(c) The Net Revenues of the Sewage Works in the fiscal year immediately preceding the issuance of any such Parity Bonds shall be not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding Bonds, any then outstanding parity bonds and the additional Parity Bonds proposed to be issued; or, prior to the issuance of said Parity Bonds, the sewage rates and charges shall be increased or the

service area or customer base shall be expanded sufficiently so that said increased rates and charges and/or volume applied to the previous fiscal year's operations would have produced Net Revenues for said year equal to not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding Bonds, any then outstanding parity bonds and the additional Parity Bonds proposed to be issued. For purposes of this subsection, the records of the Sewage Works shall be analyzed and all showings shall be prepared by a certified public accountant or nationally recognized firm of professionals experienced in analyzing financial records of municipal utilities retained by the City for that purpose.

(d) The principal of said additional Parity Bonds shall be payable on August 1 and the interest on said additional Parity Bonds shall be payable semiannually on February 1 and August 1 during the periods in which such principal and interest are payable, and, if the additional Parity Bonds are issued as capital appreciation bonds, the amount payable at maturity thereof shall be payable on February 1 and/or August 1 during the periods in such maturity amounts are payable.

(e) Additional Parity Bonds issued as variable rate debt must be assumed to bear the maximum interest rate thereon for the purpose of certifying satisfaction of the 125% condition set forth above, and a maximum rate must be set for any such variable rate additional Parity Bonds. Furthermore, any put feature associated with such variable rate debt must be covered by remarketing proceeds or a liquidity

facility issued by a provider which is rated in one of the two highest short-term rating categories of Moody's Investors Service or Standard & Poors Ratings Group.

(f) For so long as any of the Bonds are outstanding and owned by the Authority as part of its SRF Program, (i) the City obtains the consent of the Authority, (ii) the City has faithfully performed and is in compliance with each of its obligations, agreements and covenants contained in the Financial Assistance Agreement and this resolution, and (iii) the City is in compliance with its National Pollutant Discharge Elimination System permits, except for non-compliance for which purpose the additional Parity Bonds are issued, including refunding bonds issued prior to, but part of the overall plan to eliminate such non-compliance.

Section 18. Additional Covenants of the City. For the purpose of further safeguarding the interests of the owners of the BANs and the Bonds herein authorized, it is specifically provided as follows:

(a) All contracts let by the City in connection with the construction of said Project shall be let after due advertisement as required by the laws of the State of Indiana, and all contractors shall be required to furnish surety bonds in an amount equal to one hundred percent (100%) of the amount of such contracts, to insure the completion of said contracts in accordance with their terms, and such contractors shall also be required to carry such employers liability and public liability insurance as are required under the laws of the State of Indiana in the case of public contracts, and shall be governed in all respects by the laws of the State of Indiana relating to public contracts.

(b) Said Project shall be constructed under the supervision and subject to the approval of the Consulting Engineers or such other competent engineer as shall be designated by the Board. All estimates for work done or material furnished shall first be checked by the Consulting Engineers and approved by the Board.

(c) So long as the Bonds or BANs are outstanding, the City shall at all times maintain its Sewage Works in good condition and operate the same in an efficient manner and at a reasonable cost.

(d) So long as any of the Bonds or BANs herein authorized are outstanding, the City shall maintain insurance coverage, including fidelity bonds, to protect the Sewage Works and its operations on the insurable parts of said Sewage Works of a kind and in an amount such as would normally be carried by private companies engaged in a similar type of business, and, so long as the BANs and/or Bonds are owned by the Authority as part of its SRF Program such insurance shall be acceptable to the Authority. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana, provided, however, such insurance requirement may be satisfied, in part or in whole, through the City's self insurance program. Insurance proceeds and condemnation awards shall be used to replace or repair the property, provided, for so long as the BANs or Bonds are owned by the Authority as part of its SRF Program, the Authority may consent to a different use of such proceeds.

(e) So long as any of the BANs or Bonds are outstanding, the City shall not mortgage, pledge or otherwise encumber the Sewage Works, or any portion thereof, nor shall it sell, lease or otherwise dispose of any portion thereof except

replace equipment which may become worn out or obsolete, provided, however, if any Bonds or BANs are owned by the Authority as part of its SRF Program, the City shall obtain the prior written consent of the Authority.

(f) So long as the BANs or Bonds are owned by the Authority as part of its SRF Program, the City shall not borrow any money, enter into any contract or agreement or incur any other liabilities in connection with the Sewage Works, other than for normal operating expenditures, without the prior written consent of the Authority if such undertaking would involve, commit, or use the revenues of the Sewage Works.

(g) Except as hereinbefore provided in Section 17 hereof, so long as any of the Bonds herein authorized are outstanding, no additional bonds or other obligations pledging any portion of the revenues of said Sewage Works shall be authorized, executed or issued by the City except such as shall be made subordinate and junior in all respects to the Bonds herein authorized, unless all of the Bonds herein authorized are redeemed, retired or defeased pursuant to Section 16 hereof coincidentally with the delivery of such additional bonds or other obligations.

(h) The City shall take all action or proceedings necessary and proper to require connection of all property where liquid and solid waste, sewage, night soil, or industrial waste is produced with available sanitary sewers. The City shall, insofar as possible, cause all such sanitary sewers to be connected with said Sewage Works.

(i) The provisions of this ordinance shall constitute a contract by and between the City and the owners of the Bonds or BANS herein authorized, and after the issuance of said Bonds or BANs, this ordinance shall not be repealed or

amended in any respect which will adversely affect the rights of the owners of said Bonds or BANs, nor shall the Common Council adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of said Bonds or BANs or the interest thereon remains unpaid. Except for the changes set forth in Section 23(a)-(f), this ordinance may be amended, however, without the consent of BAN or Bond owners, if the Common Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the BANs or Bonds provided, however, that if any BANs or Bonds are sold to the Authority as part of its SRF Program, the City shall obtain the prior written consent of the Authority.

(j) The provisions of this ordinance shall be construed to create a trust in the proceeds of the sale of the BANS and the Bonds herein authorized for the uses and purposes herein set forth, and the owners of the BANS and the Bonds shall retain a lien on such respective proceeds until the same are applied in accordance with the provisions of this ordinance and of the Act. The provisions of this ordinance shall also be construed to create a trust in the portion of the Net Revenues herein directed to be set apart and paid into the Sewage Works Sinking Fund for the uses and purposes of said fund as in this ordinance set forth. The owner of said Bonds shall have all of the rights, remedies and privileges set forth in the provisions of the Act, including the right to have a receiver appointed to administer said Sewage Works in the event of default in the payment or the principal of or interest on any of the Bonds herein authorized or in the event of default in respect to any of the provisions of this ordinance or the Act.

Section 19. Permitted Actions Relating to Preservation of Exclusion of Interest from Federal Gross Income. The Controller is hereby authorized to invest moneys pursuant to IC 5-1-14-3 and the provisions of this ordinance (subject to applicable requirements of federal law to insure such yield is the then current market rate) to the extent necessary or advisable to preserve the exclusion from gross income of interest on the BANs and Bonds under federal law.

The Controller shall keep full and accurate records of investment earnings and income from moneys held in the funds and accounts created or referenced herein. In order to comply with the provisions of this ordinance, the Controller is hereby authorized and directed to employ consultants or attorneys from time to time to advise the City as to requirements of federal law to preserve the tax exclusion or exemption.

Section 20. Tax Covenants. In order to preserve the exclusion of interest on the Bonds and BANs from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986 as existing on the date of issuance of the Bonds or BANs, as the case may be ("Code"), and as an inducement to purchasers of the Bonds and BANs, the City represents, covenants and agrees that:

(a) The Sewage Works will be available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity other than the City or another state or local governmental unit will use more than 10% of the proceeds of the Bonds or BANs or property financed by the Bond or BAN proceeds other than as a member of the general public. No person or entity other than the City or another state or local

governmental unit will own property financed by Bond or BAN proceeds or will have any actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, arrangements such as take-or-pay or output contracts or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from use by the general public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the Bonds or BANs, as the case may be. If the City enters into a management contract for the Sewage Works, the terms of the contract will comply with IRS Revenue Procedure 97-13, as it may be amended, supplemented or superseded for time to time, so that the contract will not give rise to private business use under the Code and the Regulations, unless such use in aggregate relates to no more than 10% of the proceeds of the Bonds or BANs, as the case may be.

(b) No more than 10% of the principal of or interest on the Bonds or BANs is (under the terms of the Bonds or BANs, this ordinance or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for any private business use or payments in respect of any private business use or payments in respect of such property or to be derived from payments (whether or not to the City) in respect of such property or borrowed money used or to be used for a private business use.

(c) No more than 5% of the Bond or BAN proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than 5% of the Bond or BAN proceeds will be transferred, directly or indirectly, or

deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond or BAN proceeds.

(d) The City reasonably expects, as of the date hereof, that the Bonds and BANs will not meet either the private business use test described in paragraph (a) and (b) above or the private loan test described in paragraph (c) above during the entire term of the Bonds or BANs, as the case may be.

(e) No more than 5% of the proceeds of the Bonds or BANs will be attributable to private business use as described in (a) and private security or payments described in (b) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any government use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(f) The City will not take any action nor fail to take any action with respect to the Bonds or BANs that would result in the loss of the exclusion from gross income for federal tax purposes on the Bonds or BANs pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion. The City covenants and agrees not to enter into any contracts or arrangements which would cause the Bonds or BANs to be treated as private activity bonds under Section 141 of the Code.

(g) It shall be not an event of default under this ordinance if the interest on any Bond or BAN is not excludable from gross income for federal tax purposes or

otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Bonds or BANs, as the case may be.

(h) The City represents that it will rebate any arbitrage profits to the United States in accordance with the Code.

(i) These covenants are based solely on current law in effect and in existence on the date of delivery of such Bonds or BANs, as the case may be.

(j) The City represents that:

(a) The Bonds and BANs will not be private activity bonds as defined in Section 141 of the Code;

(b) The City hereby designates the Bonds and BANs as qualified tax-exempt obligations for purposes of Section 265(b) of the Code;

(c) The reasonably anticipated amount of qualified tax-exempt obligations (including qualified 501(c)(3) obligations and tax-exempt leases but excluding other private activity bonds) which will be issued by the City, and all entities subordinate to the City during 2009 or 2010 will not exceed $30,000,000; and

(d) The City will not designate more than $30,000,000 of qualified tax-exempt obligations during 2009 or 2010.

Therefore, the Bonds and BANs will qualify for the exception in the Code from the disallowance of 100% of the deduction by financial institutions of interest expense allocable to newly acquired tax-exempt obligations.

Section 21. Issuance of BANs. (a) The City, having satisfied all the statutory requirements for the issuance of its Bonds, may elect to issue its BAN or BANs pursuant to a Bond Anticipation Note Purchase Agreement ("Purchase Agreement") to be entered into between the City and the purchaser of the BAN or BANs. If the BANs are sold to the Authority as part of its SRF Program, the Financial Assistance Agreement shall serve as the Purchase Agreement. The Common Council hereby authorizes the issuance and execution of the BAN or BANs in lieu of initially issuing the Bonds to provide interim financing for the Project until permanent financing becomes available. It shall not be necessary for the City to repeat the procedures for the issuance of its Bonds, as the procedures followed before the issuance of the BAN or BANs are for all purposes sufficient to authorize the issuance of the Bonds and the use of the proceeds to repay the BAN or BANs.

The Mayor and the Controller are hereby authorized and directed to execute a Purchase Agreement in such form or substance as they shall approve acting upon the advice of counsel. The Mayor and the Controller may also take such other actions or deliver such other certificates as are necessary or desirable in connection with the issuance of the BANs or the Bonds and the other documents needed for the financing as they deem necessary or desirable in connection therewith.

Section 22. Compliance with Tax Sections. Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance ("Tax Sections") which are designed to preserve the tax exempt status of interest on the Bonds and BANs or the exclusion of interest on the Bonds and BANs from gross income under federal law ("Tax Exemption") need not be complied with

if the City receives an opinion of nationally recognized bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

Section 23. Supplemental Ordinances. Subject to the terms and provisions contained in this Section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (662/3%) in aggregate principal amount of the Bonds issued pursuant to this ordinance and then outstanding shall have the right, from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the City of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that so long as the Bonds or BANs are owned by the Authority as part of its SRF Program, the City shall obtain the prior written consent of the Authority; and provided, further, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of, mandatory sinking fund redemption dates, if any, or interest on any Bond issued pursuant to this ordinance; or

(b) A reduction in the principal amount of any Bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the revenues of the Sewage Works ranking prior to the pledge thereof created by this ordinance; or

(d) A preference or priority of any Bond or Bonds issued pursuant to this ordinance over any other Bond or Bonds issued pursuant to the provisions of this ordinance; or

(e) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance; or

(f) A reduction in the Reserve Requirement or the SRF Reserve Requirement.

If the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Clerk of the City, no owner of any Bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this Section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the City and all owners of Bonds issued pursuant to the provisions of this ordinance then outstanding, shall thereafter be determined, exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the

foregoing provisions of this ordinance, the rights and obligations of the City and of the owners of the Bonds authorized by this ordinance, and the terms and provisions of the Bonds and this ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the City and the consent of the owners of all the Bonds issued pursuant to this ordinance then outstanding.

Section 24. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that this ordinance shall not be construed as repealing or modifying in any respect any of the provisions of the Prior Ordinances nor be construed as adversely affecting the rights of any of the holders of the Prior Bonds.

Section 25. Rates and Charges. The estimates of the rates and charges of the Sewage Works are set forth in Ordinance No. G-12-09 to be adopted on May 26, 2009, which ordinance is incorporated herein by reference.

Section 26. Captions. The captions in this ordinance are inserted only as a matter of convenience and reference, and such captions are not intended and shall not be construed to define, limit, establish, interpret or describe the scope, intent or effect of any provision of this ordinance.

Section 27. Effectiveness. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Read the first time in full and on motion by Sanders, and duly adopted, read the second time by title and referred to the Committee on Judiciary (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on ____, the ____ day of ____, 2009 at ____ o'clock ____ M.,E.S.T.

DATED: 5-26-09

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Sanders, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BENDER	✓			
BROWN	✓			
DIDIER				✓
GOLDNER	✓			
HARPER	✓			
HINES				
PAPE	✓			
SHOAFF				✓
SMITH	✓			

DATED: 6-9-09

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (~~ZONING~~) ORDINANCE (~~RESOLUTION~~) NO. S-65-09 on the 9th day of June, 2009

ATTEST:

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL

Thomas C Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of June, 2009, at the hour of 1:30 o'clock P M,E.S,T.

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of June, 2009, at the hour of 2:30 o'clock P M,E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

PASSED AND ADOPTED by the Common Council of Fort Wayne, Indiana, on this 9th day of June, 2009.

COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

By: _____
Member of the CommonCouncil

APPROVED AS TO FORM AND LEGALITY

_____
Carol Taylor, City Attorney

Presented by me to the Mayor of the City of Fort Wayne this 10th day of June, 2009 at 1:30 p.m.

_____
Clerk-Treasurer

Signed and approved by me, the Mayor of the City of Fort Wayne, this 10th day of June, 2009 at 2:30 p.m.

_____
Mayor

see attached

IMPROVEMENT RESOLUTION NO. 7239-09

MARCH 2009 FLOOD CLAY REMOVAL
WORK ORDER NO. 12132

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Remove clay down to pre-existing grade. Also includes fine grading with good topsoil and hydroseeding of all disturbed for the following areas:

Berry/Thieme: +/- 1,583 cubic yards clay
Elizabeth Street @ Spy Run Creek +/- 330 cubic yards clay
Westbrook @ State Street +/- 42 cubic yards clay
Clinton St @ State Street +/- 180 cubic yards clay
Eastbrook Drive +/- 780 cubic yards clay
Tillman Road under Guardrail **
Wells to Sherman south side of river **

**cubic yards unknown

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 27th day of May, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BID

PROJECT: March Flood 2009 / Clay Removal

RES. NO.:

DATE: 5/22/09

W.O. NO.:

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVE CLAY DOWN TO PRE-EXISTING GRADE / ALSO INCLUDES FINE GRADING WITH GOOD TOPSOIL AND HYDROSEEDING OF ALL DISTURBED AREAS.	1	LS		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: July 3, 2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

_____
Contractors Signature

ESTIMATE OF QUANTITIES

PROJECT: March Flood 2009 / Clay Removal

RES. NO.: 7239-09

DATE: 5/22/09

W.O. NO.: 12132

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVE CLAY DOWN TO PRE-EXISTING GRADE / ALSO INCLUDES FINE GRADING WITH GOOD TOPSOIL AND HYDROSEEDING OF ALL DISTURBED AREAS.	1	LS	73000.00	73000.00

SUB-TOTAL: 73000.00

IMPROVEMENT RESOLUTION NO. 7236-09

CARIBOU DRIVE CONCRETE REPAIRS
WORK ORDER NO. 12111

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Caribou Drive (#1511 Caribou Drive to Illinois Road) by reconstruction of concrete street, driveway approaches, drainage improvements and restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 27th day of May, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: CARIBOU DRIVE CONCRETE STREET REPAIRS **RES. NO.: 7236-09**
DATE:5/20/2009 **W.O. NO.: 12111**
BID DATE: 17 JUNE 2009

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Pavement	4000	SY	6.00	24,000.00
2.	Removal of Concrete	250	SY	5.50	1,375.00
3.	Cement Concrete Pavement, Plain 6" (Includes I-A curb)(7 Bag Mix w/ Superplasticizer, including J-Bolts or #5 deformed bars)	4000	SY	24.00	96,000.00
4.	Concrete Pavement for Residential Drives (6")	250	SY	26.00	6,500.00
5.	Concrete Sidewalk 4"	3	SY	24.00	72.00
6.	Type "O" compacted Aggregate for Base No. 53	900	TON	12.00	10,800.00
7.	Bedcourse Material	55	TON	12.00	660.00
8.	Backfill Behind Curb	125	TON	4.00	500.00
9.	Top Soil	125	TON	15.00	1,875.00
10.	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	1390	SY	2.50	3,475.00
11.	1" Expansion Joint	54	LF	10.00	540.00
12.	Underdrain, 6" Perforated Plastic, Group K Pipe (Includes #8 Stone)	125	LF	7.00	875.00
13.	Casting Type "C" Furnished and Adjusted to Grade	4	EA	400.00	1,600.00
14.	Casting Adjusted to Grade	1	EA	100.00	100.00
15.	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	5	EA	50.00	250.00
16.	Water Valve adjust to Grade	1	EA	50.00	50.00
17.	Construction Sign Type A with Warning Light Type A	6	EA	65.00	390.00
18.	Standard Barricade, Type III-B	5	EA	95.00	475.00
19.	Standard Barricade, Type III-B with Sign and Warning Light	5	EA	125.00	625.00
20.	Maintenance of Traffic	1	LS	5,950.00	5,950.00
21.	Mobilization / Demobilization	1	LS	7,450.00	7,450.00

SUB-TOTAL:	163562.00
E&I @20%	32712.40
TOTAL;	196274.40

Revised: 02-13-04

BID

CONTRACTOR: RES. NO.: 7236-09

PROJECT: CARIBOU DRIVE CONCRETE STREET REPAIRS W.O. NO.: 12111

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Pavement	4000	SY		
2.	Removal of Concrete	250	SY		
3.	Cement Concrete Pavement, Plain 6" (Includes I-A curb)(7 Bag Mix w/ Superplasticizer, including J-Bolts or #5 deformed bars)	4000	SY		
4.	Concrete Pavement for Residential Drives (6")	250	SY		
5.	Concrete Sidewalk 4"	3	SY		
6.	Type "O" compacted Aggregate for Base No. 53	900	TON		
7.	Bedcourse Material	55	TON		
8.	Backfill Behind Curb	125	TON		
9.	Top Soil	125	TON		
10.	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	1390	SY		
11.	1" Expansion Joint	54	LF		
12.	Underdrain, 6" Perforated Plastic, Group K Pipe (Includes #8 Stone)	125	LF		
13.	Casting Type "C" Furnished and Adjusted to Grade	4	EA		
14.	Casting Adjusted to Grade	1	EA		
15.	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	5	EA		
16.	Water Valve adjust to Grade	1	EA		
17.	Construction Sign Type A with Warning Light Type A	6	EA		
18.	Standard Barricade, Type III-B	5	EA		
19.	Standard Barricade, Type III-B with Sign and Warning Light	5	EA		
20.	Maintenance of Traffic	1	LS		
21.	Mobilization / Demobilization	1	LS		

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.
All work must be completed by : 15 SEPTEMBER 2009
Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____
Contractors Signature

IMPROVEMENT RESOLUTION NO. 7220-09

6TH DISTRICT NEIGHBORHOOD SIDEWALK REPAIRS
WORK ORDER NO. 12093

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: South Park Drive from Pettit Avenue to Maple Grove Avenue by reconstruction of sidewalk (west side only) and yard walks; construction of new sidewalk, curb-face walk, and curb-ramps along Oxford Street (south side only) fronting McMillan Park, providing a link to the trail system, and the proposed crosswalk at the intersection of Oxford and Wayne Trace; construction of sidewalk along the south side of McKee Street from Adams Street to Wayne Trace, including crosswalks and a connection to the proposed Wayne Trace roadway improvement; construction of street approach of Turpie Street at McKee Street; reconstruction of curb-face walk along Wayne Trace (north side only) 2500 block (fronting F.W.A.) and sidewalk replacement along Roy Street 2200 block (west side only) including: casting replacement of affected storm-water structures, fertilization of trees, top soil, and hydro-seed restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 27th day of May, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: 6th District Neighborhood Sidewalk Repairs RES. NO.: 7220-09

DATE: 5/1/2009 W.O. NO.: 12093

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization & Demobilization	1	LS	1000.00	1000.00
2.	Clearing & Grubbing	1	LS	1000.00	1000.00
3.	Removal of Curb	410	LF	5.00	2050.00
4.	Removal of Concrete	830	SY	5.00	4150.00
5.	Concrete Curb Type II-B	60	LF	20.00	1200.00
6.	Cement Concrete Pavement, Plain, High-Early (HES) 5000 psi (6" Depth, Street Approach on Turpie Street at McKee Street)	105	SY	30.00	3150.00
7.	Concrete Sidewalk (4")	1532	SY	22.50	34470.00
8.	Concrete Curbface Sidewalk, 6"	220	SY	38.00	8360.00
9.	Concrete Wingwalk & Ramps (6")	94	SY	38.00	3572.00
10.	ADA Solutions, Armor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	12	EA	210.00	2520.00
11.	Concrete for Commercial & Alley Drives, 8"	25	SY	26.00	650.00
12.	Asphalt / Concrete Pavement Patching, "Undistrubuted"	80	SY	22.00	1760.00
13.	Bituminous Patching, Surface, No.12, HAC (165# SY Over Existing Chip & Seal Roadway)	3	TN	80.00	240.00
14.	Bed Course Material	250	TN	10.50	2625.00
15.	Water Valve, Curb-Stop-Box, Adjust to Grade	18	EA	35.00	630.00
16.	Water Valve, Line-Valve, Adjust to Grade (Undistributed)	1	EA	70.00	70.00
17.	Borrow	40	TN	4.75	190.00
18.	Top Soil	125	TN	15.00	1875.00
19.	HydroSeeding, HydroStick or Equivalent Polymer for Erosion Control	1400	SY	2.00	2800.00
20.	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	8	EA	75.00	600.00
21.	Tree, Fertilize	37	EA	50.00	1850.00
22.	Casting, Adjust to Grade	3	EA	325.00	975.00
23.	Casting, Type "C" Furnished & Adjusted to Grade	1	EA	325.00	325.00
24.	Yard Drain, "Undistributed"	1	EA	200.00	200.00
25.	Construction Signs, Type A With Construction Warning Light Type A	20	EA	50.00	1000.00
26.	Transverse Markings, Thermoplastic, Crosswalk, 24"	200	LF	3.50	700.00
27.	Maintenance of Traffic	1	LS	1000.00	1000.00

SUB-TOTAL: 78962.00
E&I @16% 12633.92

TOTAL: $91,595.92

Revised: 02-13-04

BID

PROJECT: 6th District Neighborhood Sidewalk Repairs

RES. NO.: 7220-09

DATE:

W.O. NO.: 12093

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization & Demobilization	1	LS		
2.	Clearing & Grubbing	1	LS		
3.	Removal of Curb	410	LF		
4.	Removal of Concrete	830	SY		
5.	Concrete Curb Type II-B	60	LF		
6.	Cement Concrete Pavement, Plain, High-Early (HES) 5000 psi (6" Depth, Street Approach on Turpie Street at McKee Street)	105	SY		
7.	Concrete Sidewalk (4")	1532	SY		
8.	Concrete Curbface Sidewalk, 6"	220	SY		
9.	Concrete Wingwalk & Ramps (6")	94	SY		
10.	ADA Solutions, Armor-Tile, or Approved Equal "Replaceable" 2' x Composite, Wetset, Tactile Warning Surface Unit - Brick Red	12	EA		
11.	Concrete for Commercial & Alley Drives, 8"	25	SY		
12.	Asphalt / Concrete Pavement Patching, "Undistrubuted"	80	SY		
13.	Bituminous Patching, Surface, No.12, HAC (165# SY Over Existing Chip & Seal Roadway)	3	TN		
14.	Bed Course Material	250	TN		
15.	Water Valve, Curb-Stop-Box, Adjust to Grade	18	EA		
16.	Water Valve, Line-Valve, Adjust to Grade (Undistributed)	1	EA		
17.	Borrow	40	TN		
18.	Top Soil	125	TN		
19.	HydroSeeding, HydroStick or Equivalent Polymer for Erosion Control	1400	SY		
20.	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	8	EA		
21.	Tree, Fertilize	37	EA		
22.	Casting, Adjust to Grade	3	EA		
23.	Casting, Type "C" Furnished & Adjusted to Grade	1	EA		
24.	Yard Drain, "Undistributed"	1	EA		
25.	Construction Signs, Type A With Construction Warning Light Type A	20	EA		
26.	Transverse Markings, Thermoplastic, Crosswalk, 24"	200	LF		
27.	Maintenance of Traffic	1	LS		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: 9/1/2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

_____
Contractors Signature

CAMBRIDGE AND TRINITY SPOT DRAINAGE
RESOLUTION NO. 2183-2009

RESOLUTION BY THE BOARD OF STORMWATER MANAGEMENT of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the construction of a new storm sewer by open excavation described generally as follows:

690 LF of 24" storm sewer to relieve flooding at the intersection of Cambridge Blvd. and Trinity Blvd. The project will include replacing the existing inlets and rerouting inlet connections at the intersection of Cambridge and Trinity. Additionally there will be four inlets added on Cambridge and a conflict structure constructed between Cambridge and Stanford.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, Cambridge and Trinity Spot Drainage.

Declares the cost of the said improvements shall be paid by the Fort Wayne Stormwater Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares the engineer's estimate of the project's total cost is $113,040.67.

APPROVED THIS 27th DAY OF May, 2009.

BOARD OF PUBLIC WORKS

BY: Robert P Kennedy
Robert P. Kennedy, Chairman

BY: John Suarez
John Suarez, Member

BY: Mathew Wirtz
Mathew Wirtz, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

A resolution establishing Fort Wayne's Rain Garden Incentive Program

Resolution No. #96-5-27-09-1

WHEREAS, the City of Fort Wayne became subject to a Consent Decree on April 1, 2008, wherein the City must construct certain facilities at certain times over the next 18 years to achieve certain specified levels of control over combined sewer overflows, must avoid sanitary sewer overflows and must report timely on progress and events or pay per diem fines and penalties for failure to meet deadlines, milestones or for failure to provide sufficient maintenance; and

WHEREAS, when the Consent Decree was lodged, EPA levied fines against Fort Wayne for past violations of water quality standards; and

WHEREAS, Fort Wayne was able to negotiate a reduction in the amount of fines paid to the EPA for past water quality violations by committing to fund the implementation of a Supplemental Environmental Project, said project to include the provision of monetary incentives to encourage the creation of 1,000 rain gardens on private, residential properties.

NOW THEREFORE, the Fort Wayne Board of Public Works does hereby direct and authorize Fort Wayne City Utilities to implement a rain garden incentive program as follows:

1. City Utilities shall develop a set of criteria to determine when a property owner is eligible to receive an incentive for installing a rain garden on their property. The incentive will be provided only to residential properties;
2. In order to receive an incentive, eligible property owners must agree to install a rain garden and to maintain for a minimum of three years;
3. Property owners who are determined to be eligible to receive the rain garden incentive must register their rain garden with the City;
4. When they are determined to be eligible to receive a rain garden incentive, property owners may choose to receive free plants, a cash payment or other incentives that may be developed by City Utilities in the future;
5. City Utilities is authorized to contract with local nurseries and garden centers to provide plants for a plant give-away program. Participating nurseries shall be selected through a price quotation process;
6. City Utilities is authorized to provide cash payments to residential property owners who agree (by signing an agreement) that they will install a rain garden and maintain it for three years. The cash payment amount should be related to the size of the garden and is intended to be used by property owners toward costs associated with planting a rain garden.
7. The financial incentive will be provided to the property owner(s) of record for the eligible properties. Financial incentives will not be directed to individuals that do not own or hold an interest in the subject property.
8. As specified in the Supplemental Environmental Project portion for the Consent Decree, expenditures on the rain garden incentive program shall total $100,000.

This resolution shall be effective immediately upon passage by the Board of Public Works of the City of Fort Wayne, Indiana.

Approved this 27th day of May, 2009.

FORT WAYNE BOARD OF PUBLIC WORKS

By: _____
Regina A. Kostoff, Chair

By: _____
Kumar Menon, Member

By: _____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

2009 Manhole Coating
RESOLUTION NO. 2174-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Rehabilitation of selected manholes by application of an approved coating system to 75 manholes;

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **2009 Manhole Coating**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $200,572.50.

APPROVED THIS 3rd DAY OF June, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY:
Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

EMERGENCY RESOLUTION NUMBER_96-6-3-09-1
SOUTH ANTHONY BLVD COMBINATION SEWER REPAIR

WHEREAS, an existing 48" Brick combination sewer line needs to be repaired, (lined) on South Anthony Blvd.,

WHEREAS, said replacement could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 48" Brick combination sewer line is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, the two Pre-qualified large diameter lining companies, Insituform Technologies and Reynolds Inc. were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 3rd day of June ,2009.

BOARD OF PUBLIC WORKS

By Regina A. Kostoff
Regina Kostoff, Chair

By
Kumar Menon, Member

By John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

SOUTH ANTHONY BLVD.
COMBINATION SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

Using the Cured-in-Place lining method of rehabilitation, line approximately 414 lft of existing 48" brick combination sewer on South Anthony Blvd.. This lining will include any and all work necessary inside the existing pipe in preparation for the lining. This lining will include any transitional liner necessary due to existing sewer repair. This lining will include any work necessary to prepare existing manholes for the liner. Includes any work to be done on the existing flagate at the outfall. All inversion water is to be pumped into nearest combination sewer , no inversion water is to be dumped into the river. Replace any manholes or manhole sections after lining. Repair and replace existing asphalt road, deceleration lanes, curbs, etc.. The removal and replacement of any signs, if necessary. This repair will include any and all work necessary with the Norfolk and Western railroad. This repair shall include any and/or all costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to excavate and remove materials from the jobsite, sheeting, trench stabilization, saw cutting of asphalt or concrete, any required bypass pumping and/or trench dewatering, resetting of existing drive pipes, removal and replacement of asphalt street, removal and replacement of any and all incoming pipes, proper backfilling and proper compaction and all surface restoration necessary to restore the disturbed area to the existing condition or better. These repairs shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone. It is the responsibility of the contractor to place and remove road closure signs and barricades.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual
2. Payment Bond
3. Performance and Guaranty Bond
4. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
5. Contractor shall be required and responsible for placing and maintaining temporary barricades.
6. Contractor needs to comply with all E.B.E. requirements through City of Fort Wayne Compliance Office.
7. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.

8. Contractor shall be responsible to protect, replace, and or repair all existing utilities in the emergency repair site.

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary. Should temporary removal or relocation be necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition, at no extra cost.

SOUTH ANTHONY BLVD.
COMBINATION SEWER EMERGENCY REPAIR

BASE BID:

ITEM NO. 1 All costs to complete all work to install approx. 414 lft of 48" Cured-in-Place liner. All costs to remove and replace any sections of manhole necessary to install liner. Restore all asphalt and concrete to existing or better condition.

LUMP SUM **$**_____

The emergency repair work shall begin as soon as possible.

Proposal submitted this _____day of _____, 2009.

FROM_____
Contractor

BY_____

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: May 27, 2009

RE: 2009 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $245,025.51 to be paid from the proceeds of the 2009 Passenger Vehicle Lease Financing which are held in an escrow at SunTrust Bank.

Payment Request #4

WatchGuard Video	227,643.00
Tessco	17,382.51
Total for Payment Request	**$ 245,025.51**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

6-10-09

Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: June 2, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$324,571.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the 3RFP North Pump Building and the St. Joe Dam Pump Station projects.

Draw #240	Weigand Construction	$ 51,752.00
Draw #241	Hagerman Construction	272,819.00
	Total Payments	**$324,571.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

6-10-09
Date

IMPROVEMENT RESOLUTION NO. 7241-09

COLISEUM BLVD/ST RD 930 TRAIL SPUR, CONSTRUCTION WORK ORDER NO. 12015

RESOLVED BY THE BOARD OF WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

The Coliseum Boulevard/State Road 930 Trail Spur along the east side of Coliseum Boulevard from Carrington Baseball Field to the Maumee Pathway of the Rivergreenway. This trail will be constructed within the Indiana Department of Transportation's Right of Way. This is an 8 foot wide multi-use trail. The length is 1,407 feet.

All in accordance with details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne.

Adopted this 10th day of June, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BID

Contractor

Project: Coliseum Boulevard Trail Spur

Date: June 8, 2009 **RES No.: 7241-09**

Bid Date: July 1, 2009 **W.O. No.: 12015**

Item No.	Item	Quantity	Unit	Unit Cost	Total Cost
1	Clearing and Grubbing	1	LSum		
2	Construction Engineering	1	LSum		
3	Mobilization and Demobilization	1	LSum		
4	Headwall, Remove	1	Each		
5	Pipe, Remove	6	Lft		
6	Excavation, Common	420	Cys		
7	Temporary Check Dam, Revetment Riprap	1.00	Tons		
8	Temporary Ditch Inlet Protection	1	Each		
9	Temporary Silt Fence	1408	Lft		
10	No. 2 Stone	147	Tons		
11	Structure Backfill	7	Cys		
12	Compacted Aggregate, No. 53, Base	414	Tons		
13	HMA Surface, Type A	104	Tons		
14	HMA Intermediate, Type A	194	Tons		
15	Asphalt for Tack Coat	0.3	Tons		
16	Chain Link Fence, 120 in., with Breakaway Posts	685	Lft		
17	Wood Rail Fence	165	Lft		
18	Concrete Curb	819	Lft		
19	Geotextiles	440.1	Sys		
20	Mulched Seeding, Type U	929	Sys		
21	Type 1 Circular Pipe, 12 in.	20	Lft		
22	Manhole, A2	1	Each		
23	Bollard, Removable	1	Each		
24	Solid Yellow Line Paint, 4 in.	130	Lft		

Note: Contractor will be paid on measured quantities only at uit price bids **TOTAL**

All work must be completed: October 14, 2009

Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____

Contractor's Signature

Estimate of Quantities

Project: Coliseum Boulevard Trail Spur

Date: June 8, 2009 **RES No.: 7241-09**

Bid Date: July 1, 2009 **W.O. No.: 12015**

Item No.	Item	Quantity	Unit	Unit Cost	Total Cost
1	Clearing and Grubbing	1	LSum	$4,000.00	$ 4,000.00
2	Construction Engineering	1	LSum	$4,000.00	$ 4,000.00
3	Mobilization and Demobilization	1	LSum	$7,000.00	$ 7,000.00
4	Headwall, Remove	1	Each	$635.00	$ 635.00
5	Pipe, Remove	6	Lft	$30.00	$ 180.00
6	Excavation, Common	420	Cys	$33.00	$ 13,860.00
7	Temporary Check Dam, Revetment Riprap	1.00	Tons	$75.00	$ 75.00
8	Temporary Ditch Inlet Protection	1	Each	$141.00	$ 141.00
9	Temporary Silt Fence	1408	Lft	$2.00	$ 2,816.00
10	No. 2 Stone	147	Tons	$26.00	$ 3,822.00
11	Structure Backfill	7	Cys	$43.00	$ 301.00
12	Compacted Aggregate, No. 53, Base	414	Tons	$30.00	$ 12,420.00
13	HMA Surface, Type A	104	Tons	$124.00	$ 12,896.00
14	HMA Intermediate, Type A	194	Tons	$95.00	$ 18,430.00
15	Asphalt for Tack Coat	0.3	Tons	$440.00	$ 132.00
16	Chain Link Fence, 120 in., with Breakaway Posts	685	Lft	$30.00	$ 20,550.00
17	Wood Rail Fence	165	Lft	$70.00	$ 11,550.00
18	Concrete Curb	819	Lft	$18.50	$ 15,151.50
19	Geotextiles	440.1	Sys	$3.75	$ 1,650.38
20	Mulched Seeding, Type U	929	Sys	$1.15	$ 1,068.35
21	Type 1 Circular Pipe, 12 in.	20	Lft	$55.00	$ 1,100.00
22	Manhole, A2	1	Each	$3,655.00	$ 3,655.00
23	Bollard, Removable	1	Each	$1,200.00	$ 1,200.00
24	Solid Yellow Line Paint, 4 in.	130	Lft	$7.00	$ 910.00
	TOTAL				$ 137,543.23

IMPROVEMENT RESOLUTION NO. 7240-09

TOWPATH TRAIL PHASE I, CONSTRUCTION
WORK ORDER NO. 11966

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: The Wabash & Erie Canal Towpath Trail is a 5.5 mile, 10 - 12 foot wide multiuse trail that will connect the existing 23-mile Rivergreenway to the trails planned in Aboite Township by Aboite New Trails, Inc. The Towpath Trail is divided into six phases. Phase I is approximately 0.8 miles and will run from Rockhill Park to the intersection of Ardmore Avenue and Taylor Street.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid $150,000.00 by Recreational Trails Program Grant by the DNR. The remaining funds will be paid by the City.

Adopted this 10th day of June, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BID

PROJECT: Greenway-Towpath Trail Ph I RES. NO.:7240-09

DATE: 6-5-09 W.O. NO.:11966

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	MOBILIZATION / DEMOBILIZATION	1	L.S.		
2.	TRAFFIC CONTROL	1	L.S.		
3.	CLEARING AND GRUBBING VEGETATION	1	L.S.		
4.	COMMON EXCAVATION	1	L.S.		
5.	CONCRETE SIDEWALK REMOVAL	422	S.Y.		
6.	CONCRETE SIDEWALK 4"	650	S.Y.		
7.	COMPACTED AGGREGATE BASE #53	1905	TON		
8.	COMPACTED AGGREGATE BASE #73	84	TON		
9.	HMA SURFACE TYPE A	303	TON		
10.	HMA INTERMEDIATE TYPE A	642	TON		
11.	TEMPORARY EROSION CONTROL	1	L.S.		
12.	DETECTABLE WARNING SURFACE FOR CURB RAMPS	10	EA		
13.	CURB RAMP, CONCRETE (TYPE H)	45	S.Y.		
14.	CURB RAMP, CONCRETE (TYPE N)	30	S.Y.		
15.	TRAIL END TREATMENT	47	S.Y.		
16.	HMA FOR APPROACHES	151	TON		
17.	MULCHED SEEDING	700	S.Y.		
18.	EROSION CONTROL BLANKET	700	S.Y.		
19.	SODDING, NURSERY	2100	S.Y.		
20.	TRANSVERSE MARKINGS FOR CROSSWALK, 12"	180	L.F.		
21.	PAVEMENT MESSAGE MARKING, CHEVRON (YIELD TRIANGLE)	23	EA		
22.	PAVEMENT MESSAGE MARKING, (HANDICAP SYMBOL)	1	EA		
23.	LINE, PAINT, 4", YELLOW	390	L.F.		
24.	LINE, PAINT, 4", WHITE	320	L.F.		
25.	LINE, PAINT, 4", BROKEN, YELLOW	756	L.F.		
26.	LINE, THERMO., 6", WHITE FOR CROSSWALK	227	L.F.		
27.	SHEET SIGN	28	EACH		
28.	SHEET SIGN POST	80	L.F.		
29.	STREET LIGHTING	1	L.S.		
30.	BENCHES	2	EA		
31.	ADJUST CASTING TO GRADE	6	EA		

32.	6' WOODEN PRIVACY FENCE	60	L.F.		
33.	CONCRETE CURB	20	L.F.		
34.	WORK ALLOWANCE	1	L.S.	$20,000	$20,000

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY:October 15th, 2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

bid page no. 1.

_____
Contractors Signature

ESTIMATE OF QUANTITIES

PROJECT: Greenway-Towpath Trail Ph I

RES. NO.:7240-09

DATE:

W.O. NO.:11966

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	MOBILIZATION / DEMOBILIZATION	1	L.S.	$15,000.00	15000.00
2.	TRAFFIC CONTROL	1	L.S.	$5,000	5000.00
3.	CLEARING AND GRUBBING VEGETATIC	1	L.S.	$2,000	2000.00
4.	COMMON EXCAVATION	1	L.S.	$15,000	15000.00
5.	CONCRETE SIDEWALK REMOVAL	422	S.Y.	$25	10550.00
6.	CONCRETE SIDEWALK 4"	650	S.Y.	$40	26000.00
7.	COMPACTED AGGREGATE BASE #53	1905	TON	$18	34290.00
8.	COMPACTED AGGREGATE BASE #73	84	TON	$18	1512.00
9.	HMA SURFACE TYPE A	303	TON	$74	22422.00
10.	HMA INTERMEDIATE TYPE A	642	TON	$68	43656.00
11.	TEMPORARY EROSION CONTROL	1	L.S.	$9,000	9000.00
12.	DETECTABLE WARNING SURFACE FOI	10	EA	$750	7500.00
13.	CURB RAMP, CONCRETE (TYPE H)	45	S.Y.	$135	6075.00
14.	CURB RAMP, CONCRETE (TYPE N)	30	S.Y.	$135	4050.00
15.	TRAIL END TREATMENT	47	S.Y.	$228	10716.00
16.	HMA FOR APPROACHES	151	TON	$75	11325.00
17.	MULCHED SEEDING	700	S.Y.	$2	1400.00
18.	EROSION CONTROL BLANKET	700	S.Y.	$2	1400.00
19.	SODDING, NURSERY	2100	S.Y.	$6	12600.00
20.	TRANSVERSE MARKINGS FOR CROSS	180	L.F.	$5	900.00
21.	PAVEMENT MESSAGE MARKING, CHE (YIELD TRIANGLE)	23	EA	$100	2300.00
22.	PAVEMENT MESSAGE MARKING, (HAN	1	EA	$250	250.00
23.	LINE, PAINT, 4", YELLOW	390	L.F.	$4	1560.00
24.	LINE, PAINT, 4", WHITE	320	L.F.	$4	1280.00
25.	LINE, PAINT, 4", BROKEN, YELLOW	756	L.F.	$4	3024.00
26.	LINE, THERMO., 6", WHITE FOR CROSS	227	L.F.	$4	908.00
27.	SHEET SIGN	28	EACH	$60	1680.00
28.	SHEET SIGN POST	80	L.F.	$13	1040.00
29.	STREET LIGHTING	1	L.S.	$12,000	12000.00
30.	BENCHES	2	EA	$500	1000.00
31.	ADJUST CASTING TO GRADE	6	EA	$500	3000.00
32.	6' WOODEN PRIVACY FENCE	60	L.F.	$125	7500.00
33.	CONCRETE CURB	20	L.F.	$25	500.00
34.	WORK ALLOWANCE	1	L.S.	$20,000	20000.00

SUB-TOTAL:	296438.00
E&I @20%	59287.60
TOTAL:	**$355,725.60**

IMPROVEMENT RESOLUTION NO. 7227-09

NORTH ANTHONY TRAIL SPUR, CONSTRUCTION
WORK ORDER NO. 12089

RESOLVED BY THE BOARD OF WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

The North Anthony Trail on the west side of North Anthony Boulevard between Coliseum Boulevard and St. Joe River Drive. This 8 foot wide multiuse trail will connect with the Rivergreenway extension from Johnny Appleseed Park to Shoaff Park and IPFW to the north and with Concordia High School and the North Anthony Streetscape Project to the south. The trail will consist of concrete and boardwalk. The trail will also connect with the existing trail along N Anthony in front of the St. Joe Dam. The trail will be 930 lineal feet.

All in accordance with details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid by the City of Fort Wayne.

Adopted this 10th day of June, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: North Anthony Trail Spur **RES. NO.: 7227-09**
DATE: 6/5/2009 **W.O. NO.: 12089**
BID DATE: July, 2009

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Concrete Curb Type III	385	LF	15.00	5775.00
2.	Curb Removal	450	LF	4.00	1800.00
3.	Removal of Concrete	340	SY	6.50	2210.00
4.	8' Wide Concrete Sidewalk (4")	1005	SY	26.00	26130.00
5.	Concrete for Commercial Drives (8")	100	SY	35.00	3500.00
6.	Arrow Board	21	Day	60.00	1260.00
7.	Type "III" Barricade (1-12' or 2-6' Barricades)	8	EA	150.00	1200.00
8.	Concrete Wingwalks ADA Ramps	90	SY	28.00	2520.00
9.	Adjust Water Service Box to Grade (Undistributed)	2	EA	25.00	50.00
10.	Type "A" Signs	4	EA	50.00	200.00
11.	Topsoil (Spoil to be saved and used on site)	420	TON	12.00	5040.00
12.	Hydroseed w/Hydrostick or approved equal for erosion control	1620	SY	2.00	3240.00
13.	Hardwood Mulch for Landscaping - 6" Depth (Approx. 235 SY)	9	CY	50.00	450.00
14.	Bed Coarse	290	TON	12.50	3625.00
15.	Mobilization & Demobilization	1	LS	7500.00	7500.00
16.	Maintenance of Traffic	1	LS	6500.00	6500.00
17.	Concrete Curbface Walk (4")	10	SY	28.00	280.00
18.	Common Excavation	439	CY	10.00	4390.00
19.	Relocate Fence (Approx. 105') (Installed - all materials included)	1	LS	2500.00	2500.00
20	Relocate Electric to sign (All materials included-Installed)	1	LS	1500.00	1500.00
21	Adjust Casting to Grade	2	EA	200.00	400.00
22	Daylilies(approx. 35) and Daffodils(Approx. 100) Installed as per Specifications Including Soil Amendments	1	LS	1175.00	1175.00
23	2" Trees (Winter King Hawthorn - Crataegus Viridis) (Installed When Weather permits-Late Fall)	3	EA	350.00	1050.00
24	Line, Paint, Solid, White 6" for Lot Lines and Crosswalks	120	LF	0.60	72.00
25	Line, Paint, Solid, White 24" for Stop Bar	37	LF	3.50	129.50
26	Grind Cross Walk and Lot Lines 6"	210	LF	0.25	52.50
27	Grind Stop Bar 24"	37	LF	1.50	55.50
28	Crosswalk, Piano Key (Cross Hatch)	1	LS	250.00	250.00
29	Boardwalk (Includes weed barrier, stone, nonslip tread and bump out)	100	LF	150.00	15000.00
30	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'x4' composite wetset tactile warning surface units(Brick Red in Color)	3	EA	200.00	600.00
31	Clearing and Grubbing of Right of Way (Includes Limbs, Bushes, Rocks stumps and Misc. Debris)	1	LS	500.00	500.00
32	#2 Stone as Rip Rap - Undistributed	10	TON	14.00	140.00
33	Clear Paved Swale	1	LS	150.00	150.00
34	Linear Grading	1	LS	500.00	500.00
35	2" Conduit with Capped Ends - Installed	90	LF	2.50	225.00
36	Utility Adjustment	1	LS	10000.00	10000.00
37	Preparation of Daylilly and Daffodals Bed	1	LS	250.00	250.00
38	Inlet Protection Devises for Stormwater and Erosion Control	2	EA	35.00	70.00

SUB-TOTAL:	110289.50
E&I @25%	27572.38
TOTAL:	**137861.88**

BID

CONTRACTOR: _____

PROJECT: North Anthony Trail Spur **RES. NO.: 7227-09**

BID DATE: July, 2009 **W.O. NO.: 12089**

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Concrete Curb Type III	385	LF		
2.	Curb Removal	450	LF		
3.	Removal of Concrete	340	SY		
4.	8' Wide Concrete Sidewalk (4")	1005	SY		
5.	Concrete for Commercial Drives (8")	100	SY		
6.	Arrow Board	21	Day		
7.	Type "III" Barricade (1-12' or 2-6' Barricades)	8	EA		
8.	Concrete Wingwalks ADA Ramps	90	SY		
9.	Adjust Water Service Box to Grade (Undistributed)	2	EA		
10.	Type "A" Signs	4	EA		
11.	Topsoil (Spoil to be saved and used on site)	420	TON		
12.	Hydroseed w/Hydrostick or approved equal for erosion control	1620	SY		
13.	Hardwood Mulch for Landscaping - 6" Depth (Approx. 235 SY)	9	CY		
14.	Bed Coarse	290	TON		
15.	Mobilization & Demobilization	1	LS		
16.	Maintenance of Traffic	1	LS		
17.	Concrete Curbface Walk (4")	10	SY		
18.	Common Excavation	439	CY		
19.	Relocate Fence (Approx. 105') (Installed - all materials included)	1	LS		
20	Relocate Electric to sign (All materials included-Installed)	1	LS		
21	Adjust Casting to Grade	2	EA		
22	Daylilies(approx. 35) and Daffodils(Approx. 100) Installed as per Specifications Including Soil Amendments	1	LS		
23	2" Trees (Winter King Hawthorn - Crataegus Viridis) (Installed When Weather permits-Late Fall)	3	EA		
24	Line, Paint, Solid, White 6" for Lot Lines and Crosswalks	120	LF		
25	Line, Paint, Solid, White 24" for Stop Bar	37	LF		
26	Grind Cross Walk and Lot Lines 6"	210	LF		
27	Grind Stop Bar 24"	37	LF		
28	Crosswalk, Piano Key (Cross Hatch)	1	LS		
29	Boardwalk (Includes weed barrier, stone, nonslip tread and bump out)	100	LF		
30	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'x4' composite wetset tactile warning surface units(Brick Red in Color)	3	EA		
31	Clearing and Grubbing of Right of Way (Includes Limbs, Bushes, Rocks stumps and Misc. Debris)	1	LS		
32	#2 Stone as Rip Rap - Undistributed	10	TON		
33	Clear Paved Swale	1	LS		
34	Linear Grading	1	LS		
35	2" Conduit with Capped Ends - Installed	90	LF		
36	Utility Adjustment	1	LS	10000.00	10000.00
37	Preparation of Daylily and Daffodals Bed	1	LS		
38	Inlet Protection Devises for Stormwater and Erosion Control	2	EA		

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.
All work, except for Boardwalk, must be completed by : Sept 30, 2009
Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____
Contractors Signature

IMPROVEMENT RESOLUTION NO. 7203-08

CALHOUN STREETSCAPE & CONVERSION
WORK ORDER NO. 12082

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Conversion of Calhoun Street from one-way to two-way operation between Washington Boulevard and Berry Street. Existing pavement will be widened by ten feet to accommodate a loading zone and turn lanes. New street lights will be provided as well as new street trees and new sidewalk. The sidewalk will be designed to match the existing downtown streetscape template.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 10th day of June, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Bid Form

Calhoun Streetscape
City of Ft Wayne, IN

ITEM NO.	ITEM	PLAN QUANITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	MOBILIZATION AND DEMOBILIZATION	1	LS	$38,235.53	$38,236
2	CLEARING RIGHT OF WAY	1	LS	$65,658.93	$65,659
3	CURB AND SIDEWALK, CONCRETE, REMOVE	3513	SYS	$20.86	$73,281
4	CURB RAMP, CONCRETE, A	82	SYS	$146.00	$11,972
5	CURB RAMP, CONCRETE, D	29	SYS	$213.00	$6,177
6	HMA PATCHING, TYPE C	29	TON	$93.00	$2,697
7	HMA SURFACE, TYPE C	254	TON	$100.00	$25,400
8	HMA INTERMEDIATE, TYPE C	191	TON	$80.00	$15,280
9	HMA BASE, TYPE C	607	TON	$80.00	$48,560
10	SURFACE MILLING, 1.5"	2293	SYS	$10.00	$22,930
11	INLET, REMOVE	7	EA	$421.00	$2,947
12	INLET TYPE STR 32	7	EA	$1,723.30	$12,063
13	INLET TYPE STR 31	4	EA	$1,800.00	$7,200
14	CASTING, FURNISH AND ADJUST TO GRADE	16	EA	$1,000.00	$16,000
15	CASTING, ADJUST TO GRADE	6	EA	$431.43	$2,589
16	CASTING, ADJUST TO GRADE, WATER VALVE	25	EA	$226.75	$5,669
17	PIPE, TYPE 2, CIRCULAR, 8 IN.	54	LFT	$52.64	$2,843
18	PIPE, TYPE 2, CIRCULAR, 12 IN.	22	LFT	$42.81	$942
19	PIPE, TYPE 2, CIRCULAR, 15 IN.	8	LFT	$39.99	$320
20	PIPE, TYPE 4, CIRCULAR, 4 IN.	1134	LFT	$20.00	$22,680
21	LIGHT STANDARD AND FOUNDATION REMOVAL	19	EA	$401.00	$7,619
22	SCULPTURE FOUNDATIONS - REMOVE AND RESET	2	EA	$1,000.00	$2,000
23	PAVEMENT MESSAGE MARKINGS, THERMOPLASTIC, LANE INDICATION ARROW	5	EA	$146.67	$733

Bid Form

Calhoun Streetscape
City of Ft Wayne, IN

ITEM NO.	ITEM	PLAN QUANITY	UNIT	UNIT COST ($)	AMOUNT ($)
24	PAVEMENT MESSAGE MARKINGS, THERMOPLASTIC, WORD (ONLY)	5	EA	$141.00	$705
25	TRANSVERSE MARKINGS, THERMOPLASTIC, CROSSWA WHITE, 24 IN.	248	LFT	$3.84	$952
26	LINE, THERMOPLASTIC, SOLID, WHITE, 4 IN.	269	LFT	$0.54	$145
27	LINE, THERMOPLASTIC, SOLID, WHITE, 8 IN.	467	LFT	$1.16	$542
28	LINE, THERMOPLASTIC, SOLID, YELLOW, 4 IN.	1330	LFT	$0.56	$745
29	TRANSVERSE MARKINGS, THERMOPLASTIC, SOLID, WH CROSSHATCH LINE, 24 IN.	238	LFT	$7.90	$1,880
30	TRANSVERSE MARKINGS, THERMOPLASTIC, STOP LINE 24 IN.	108	LFT	$7.90	$853
31	TEMPORARY PAVEMENT MARKING, REMOVABLE, 4 IN.	3287	LFT	$1.09	$3,583
32	COMMON EXCAVATION	305	CYS	$10.00	$3,050
33	COMPACTED AGGREGATE, NO. 53	659	TON	$16.55	$10,906
34	MAINTAINING TRAFFIC	1	LS	$70,000.00	$70,000
35	TREE GRATES	45	EA	$1,000.00	$45,000
36	PLANTING SOIL	460	CYS	$65.21	$29,997
37	PCCP FOR APPROACHES	225	SYS	$38.00	$8,550
38	UNIT PAVERS	371	SYS	$162.00	$60,102
39	CURB FACE WALK TYPE F	1691	SYS	$43.45	$73,474
40	CURB FACE WALK TYPE F1	938	SYS	$43.45	$40,756
41	SIGNAL POLE WITH 20 FOOT MAST ARM	5	EA	$5,300.00	$26,500
42	SIGNAL POLE FOUNDATION	5	EA	$2,200.00	$11,000
43	20 FOOT MAST ARM	1	EA	$1,500.00	$1,500
44	PEDESTAL POLE	8	EA	$650.00	$5,200
45	PEDESTAL POLE FOUNDATION	8	EA	$900.00	$7,200
46	SIGNAL HEADS - 3 SECTION HEADS	10	EA	$651.00	$6,510
47	PEDESTRIAN SIGNAL INDICATIONS	14	EA	$500.00	$7,000
48	SIGNAL HAND HOLES	5	EA	$850.00	$4,250
49	2" GALZANIZED STEEL CONDUIT	520	LFT	$15.00	$7,800
50	SIGNAL CABLE, 5C 14GA.	2000	LFT	$2.00	$4,000
51	LIGHT POLE, METRO ARM, AND METRO SIGN	1	EA	$8,000.00	$8,000

Bid Form

Calhoun Streetscape
City of Ft Wayne, IN

ITEM NO.	ITEM	PLAN QUANITY	UNIT	UNIT COST ($)	AMOUNT ($)
52	RELOCATE METRO ARM AND METRO SIGN	2	EA	$800.00	$1,600
53	METRO ARMS	1	EA	$2,000.00	$2,000
54	TRAFFIC SIGNAL INSTALLATION	1	LS	$5,000.00	$5,000
55	REMOVE PEDESTAL BASE	7	EA	$1,000.00	$7,000
56	REMOVE LIGHT POLE W/ LUMINAIRE AND PED. INDICATI	3	EA	$300.00	$900
57	REMOVE SIGNAL POLE WITH MAST ARM	1	EA	$300.00	$300
58	REMOVE SIGNAL POLE BASE	1	EA	$1,000.00	$1,000
59	REMOVE COMBINATION POLE WITH LUMINAIRE	3	EA	$300.00	$900
60	REMOVE COMBINATION POLE BASE	3	EA	$1,000.00	$3,000
61	REMOVE HANDHOLE	1	EA	$300.00	$300
62	"NO PARKING LOADING ZONE" SIGN R7-6	4	EA	$37.50	$150
63	"NO PARKING" SIGN R8-3	1	EA	$75.00	$75
64	ONE WAY LEFT SIGN R6-2(L)	1	EA	$75.00	$75
65	ONE WAY RIGHT SIGN R6-2(R)	3	EA	$75.00	$225
66	LEFT TURN ONLY SIGN R3-5(L)	3	EA	$190.00	$570
67	RIGHT TURN ONLY SIGN R3-5(R)	3	EA	$190.00	$570
68	"CITILINK BUS STOP"	2	EA	$75.00	$150
69	BACKLIT METRO SIGN	2	EA	$2,500.00	$5,000
70	TRAFFIC SIGNS REMOVE AND RESET	18	EA	$250.00	$4,500
71	2" PVC CONDUIT W/ (4) #6 BRANCH CIRCUIT	1951	LFT	$10.89	$21,246
72	2" PVC CONDUIT W/ LOW VOLTAGE FEED TO PAVER LIG	2405	LFT	$6.05	$14,550
73	2" PVC SPARE CONDUIT	295	LFT	$6.05	$1,785
74	IN-GROUND JUNCTION/PULL BOX	24	EA	$220.00	$5,280
75	TRENCHING PAVER LIGHT LENGTH x 125% FOR ST. LIGH	3006	LFT	$6.60	$19,840
76	DECORATIVE POLE LIGHT W/ FIBERGLASS POLE, CONC	27	EA	$4,400.00	$118,800
77	4"x4" LED PAVER LIGHT W/ LOW VOLTAGE WIRING	120	EA	$385.00	$46,200
78	PAVER LIGHT LOW VOLTAGE CONTROL PANEL	2	EA	$2,750.00	$5,500
79	PAVER LIGHT HEADEND PROGRAMMING	1	LS	$2,200.00	$2,200

Bid Form

Calhoun Streetscape
City of Ft Wayne, IN

ITEM NO.	ITEM	PLAN QUANITY	UNIT	UNIT COST ($)	AMOUNT ($)
80	1" EMPTY CONDUIT BETWEEN LIGHT POLES- FUTURE A	1804	LFT	$3.19	$5,755
81	CUT/PATCH ASPHALT FOR ROUTING CONDUIT ACROSS	750	LFT	$5.50	$4,125
82	(2) 20A CKTS FROM PARKING GARAGE FOR POWER	1	LS	$2,420.00	$2,420
83	ELECTRICAL CONNECTION TO BACKLIT STREET SIGN	4	EA	$275.00	$1,100
84	IN GROUND LIGHT FIXTURE FOR SCULPTURE	2	EA	$300.00	$600
				TOTAL:	$1,116,712

IMPROVEMENT RESOLUTION NO. 7214-09

PUBLIC SIDEWALK CURB RAMP PACKAGE B-2009
WORK ORDER NO. 12103

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: THE FOLLOWING INTERSECTIONS WITH ADA CONCRETE WINGWALKS & RAMPS: CONCRETE PAVEMENT, CONCRETE CURBS, CONCRETE WALKS AND HYDROSEEDING RESTORATION

4th District:
Barrington Lake Estates:

Wrentham Ln. and Wrentham Cove
Action Ct. and Hopkinton Drive
Wilmington Ct. and Hopkinton Drive
Wrentham Ln and Hopkinton Drive

Heather Ridge Community Association:

Coventry Lane and Stone Creek Run
Blythewood Place and Willow Grove Drive
Pebblewood Place and Willow Grove Drive
Chancery Place and Willow Grove Drive
Stone Creek Run and White Face Lane
Stone Creek Run and Beacon Woods Place
Stone Creek Run and Creekside Place

Shorewood Addition:

Valley Vista Place and White Field Drive
Flagstone Place and White Field Drive
Red Twig Place and White Field Drive
White Hill Court and White Field Drive
Blue Mound Drive and White Field Drive
Blue Mound Drive and Blue Stone Court
White Shell Drive and Blue Stone Court
White Shell Court and Timberlake Trail
Red Berry Court and Timberlake Trail
Sail Wind Drive and Timberlake Trail
Sail Wind Drive and Shorewood Trail
Wellesley Drive and Shorewood Trail
Yellow Lake Drive and Yellow Tree Court
White Shell Drive and Yellow Lake Drive

5th District:

Northeast Corner of Fairfield Ave and Paulding Road (Traffic Engineering Operations has replaced the pole and needs the ramp constructed)
Wayne and Fairfield SE Corner - Replace Walk
4401 Bluffton Rd. Just South of Engle Rd. – Replace Broken Curb

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 17th day of June, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: PUBLIC SIDEWALK CURB RAMP PKG. "B" 2009 RES. NO.: 7214-09

DATE: JUNE 11, 2009 W.O. NO.: 12103

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete (Included Sidewalk and Wingwalk	1350	SY	4.00	5400.00
2.	Removal of Concrete Pavement For Around New Type "C" Inlets at Pebblewood and Willow Grove	40	SY	6.00	240.00
3.	Removal of Curb	875	LF	4.25	3718.75
4.	Concrete Sidewalk (4"in.) Deep, Varies in Width, 4' Foot to 5' Foot	590	SY	22.00	12980.00
5.	Concrete Wingwalk and Ramps (6")	760	SY	34.00	25840.00
6.	Concrete Curb Type I-B	590	LF	12.50	7375.00
7.	ADA Solutions or Armor-Tile,Approved Equal Replaceable 2x4 Composit Wetset Tactile Warning Surface Units (Brick Red in Color)	65	EA	225.00	14625.00
8.	Concrete Curb Type I-A, Including J-Bolts and Sawing Undistributed	219	LF	12.50	2737.50
9.	Concrete Curb Type II-A, Including J-Bolts or Stirrup Bars 4401 Bluffton Road Drive Approach, Including Sawing	9	LF	15.00	135.00
10.	Concrete Curb - Back of Curb Ramp, Wing Walk & Walk Undistributed	100	LF	12.50	1250.00
11.	Cement Concrete Pavement, Plain (6") Including J-Bolts, Undistributed	40	SY	24.00	960.00
12.	Casting Type "C" Furnish and Adjust to Grade Pebblewood and Willow Grove	2	EA	370.00	740.00
13.	Casting Adjust to Grade Undistributed	13	EA	125.00	1625.00
14.	Water Valve (Valve or Curb Box) Furnish and Adjust to Grade Undistruted	1	EA	100.00	100.00
15	Water Valve Adjust to Grade Undistributed	3	EA	42.00	126.00
16	Water Valves (Curb-Box) Adjusted to Grade	2	EA	45.00	90.00
17	Hydroseeding with Hydrostik or equivalent for Erosion Control	1000	SY	2.00	2000.00
18	Sediguard Inlet Protection Device or equal w/ Curbguard for sediment control, Undistributed	16	EA	45.00	720.00
19	Top Soil	125	TON	14.00	1750.00
20	Fertilize Tree Undistributed	2	EA	55.00	110.00
21	Backfill behind Curb	20	TON	6.00	120.00
22	Bedcourse Material	240	TON	12.00	2880.00
23	Type "O" Compacted Aggregate for Base, No. 53 Under Curb and Pavement only	30	TON	12.00	360.00
24	Asphalt / Concrete Pavement Patching	100	SY	29.00	2900.00
25	Install New 18" or 24" Diameter x 5' Deep Concrete Foundation, Bolt Pattern to Match Existing Poles, Undistributed	5	EA	1000.00	5000.00
26	Construction Sign Type A with Warning Light Type A	12	EA	80.00	960.00
27	Standard Barricade, Type II-B with Signs or Plastic Barrels With Warning Lights	100	EA	25.00	2500.00
28	Maintenance of Traffic	1	LS	2100.00	2100.00
29	Mobilization / Demobilization	1	LS	2400.00	2400.00

SUB-TOTAL: 101742.25

E&I @25% 25435.56

TOTAL: $127,177.81

Revised: 02-13-04

BID

PROJECT: PUBLIC SIDEWALK CURB RAMP PKG. "B" 2009

RES. NO.: 7214-09

W.O. NO.: 12103

DATE:

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete (Included Sidewalk and Wingwalk	1350	SY		
2.	Removal of Concrete Pavement For Around New Type "C" Inlets at Pebblewood and Willow Grove	40	SY		
3.	Removal of Curb	875	LF		
4.	Concrete Sidewalk (4"in.) Deep, Varies in Width, 4' Foot to 5' Foot	590	SY		
5.	Concrete Wingwalk and Ramps (6")	760	SY		
6.	Concrete Curb Type I-B	590	LF		
7.	ADA Solutions or Armor-Tile,Approved Equal Replaceable 2x4 Composit Wetset Tactile Warning Surface Units (Brick Red in Color)	65	EA		
8.	Concrete Curb Type I-A, Including J-Bolts and Sawing Undistributed	219	LF		
9.	Concrete Curb Type II-A, Including J-Bolts or Stirrup Bars 4401 Bluffton Road Drive Approach, Including Sawing	9	LF		
10.	Concrete Curb - Back of Curb Ramp, Wing Walk & Walk Undistributed	100	LF		
11.	Cement Concrete Pavement, Plain (6") Including J-Bolts, Undistributed	40	SY		
12.	Casting Type "C" Furnish and Adjust to Grade Pebblewood and Willow Grove	2	EA		
13.	Casting Adjust to Grade Undistributed	13	EA		
14.	Water Valve (Valve or Curb Box) Furnish and Adjust to Grade Undistruted	1	EA		
15	Water Valve Adjust to Grade Undistributed	3	EA		
16	Water Valves (Curb-Box) Adjusted to Grade	2	EA		
17	Hydroseeding with Hydrostik or equivalent for Erosion Control	1000	SY		
18	Sediguard Inlet Protection Device or equal w/ Curbguard for sediment control, Undistributed	16	EA		
19	Top Soil	125	TON		
20	Fertilize Tree Undistributed	2	EA		
21	Backfill behind Curb	20	TON		
22	Bedcourse Material	240	TON		
23	Type "O" Compacted Aggregate for Base, No. 53 Under Curb and Pavement only	30	TON		
24	Asphalt / Concrete Pavement Patching	100	SY		
25	Install New 18" or 24" Diameter x 5' Deep Concrete Foundation, Bolt Pattern to Match Existing Poles, Undistributed	5	EA		
26	Construction Sign Type A with Warning Light Type A	12	EA		
27	Standard Barricade, Type II-B with Signs or Plastic Barrels With Warning Lights	100	EA		
28	Maintenance of Traffic	1	LS		
29	Mobilization / Demobilization	1	LS		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: OCT-15-2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

_____
Contractors Signature

IMPROVEMENT RESOLUTION NO. 7240-09

TOWPATH TRAIL PHASE I, CONSTRUCTION
WORK ORDER NO. 11966

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: The Wabash & Erie Canal Towpath Trail is a 5.5 mile, 10 - 12 foot wide multiuse trail that will connect the existing 23-mile Rivergreenway to the trails planned in Aboite Township by Aboite New Trails, Inc. The Towpath Trail is divided into six phases. Phase I is approximately 0.8 miles and will run from Rockhill Park to the intersection of Ardmore Avenue and Taylor Street.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid $150,000.00 by Recreational Trails Program Grant by the DNR. The remaining funds will be paid by the City.

Adopted this 10th day of June, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Greenway-Towpath Trail Ph I RES. NO.:7240-09

DATE: W.O. NO.:11966

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	MOBILIZATION / DEMOBILIZATION	1	L.S.	$15,000.00	15000.00
2.	TRAFFIC CONTROL	1	L.S.	$5,000	5000.00
3.	CLEARING AND GRUBBING VEGETATION	1	L.S.	$2,000	2000.00
4.	COMMON EXCAVATION	1	L.S.	$15,000	15000.00
5.	CONCRETE SIDEWALK REMOVAL	422	S.Y.	$25	10550.00
6.	CONCRETE SIDEWALK 4"	650	S.Y.	$40	26000.00
7.	COMPACTED AGGREGATE BASE #53	1905	TON	$18	34290.00
8.	COMPACTED AGGREGATE BASE #73	84	TON	$18	1512.00
9.	HMA SURFACE TYPE A	303	TON	$74	22422.00
10.	HMA INTERMEDIATE TYPE A	642	TON	$68	43656.00
11.	TEMPORARY EROSION CONTROL	1	L.S.	$9,000	9000.00
12.	DETECTABLE WARNING SURFACE FOR CURB RAMPS	10	EA	$750	7500.00
13.	CURB RAMP, CONCRETE (TYPE H)	45	S.Y.	$135	6075.00
14.	CURB RAMP, CONCRETE (TYPE N)	30	S.Y.	$135	4050.00
15.	TRAIL END TREATMENT	47	S.Y.	$228	10716.00
16.	HMA FOR APPROACHES	151	TON	$75	11325.00
17.	MULCHED SEEDING	700	S.Y.	$2	1400.00
18.	EROSION CONTROL BLANKET	700	S.Y.	$2	1400.00
19.	SODDING, NURSERY	2100	S.Y.	$6	12600.00

Revised: 02-13-04

20.	TRANSVERSE MARKINGS FOR CROSSWALK, 12"	180	L.F.	$5	900.00
21.	PAVEMENT MESSAGE MARKING, CHEVRON (YIELD TRIANGLE)	23	EA	$100	2300.00
22.	PAVEMENT MESSAGE MARKING, (HANDICAP SYMBOL)	1	EA	$250	250.00
23.	LINE, PAINT, 4", YELLOW	390	L.F.	$4	1560.00
24.	LINE, PAINT, 4", WHITE	320	L.F.	$4	1280.00
25.	LINE, PAINT, 4", BROKEN, YELLOW	756	L.F.	$4	3024.00
26.	LINE, THERMO., 6", WHITE FOR CROSSWALK	227	L.F.	$4	908.00
27.	SHEET SIGN	28	EACH	$60	1680.00
28.	SHEET SIGN POST	80	L.F.	$13	1040.00
29.	STREET LIGHTING	1	L.S.	$12,000	12000.00
30.	BENCHES	2	EA	$500	1000.00
31.	ADJUST CASTING TO GRADE	6	EA	$500	3000.00
32.	6' WOODEN PRIVACY FENCE	0	L.F.	$125	0.00
33.	CONCRETE CURB	20	L.F.	$25	500.00
34.	WORK ALLOWANCE	1	L.S.	$20,000	20000.00

SUB-TOTAL:	288938.00
E&I @20%	57787.60
TOTAL:	**$346,725.60**

Revised: 02-13-04

AMENDMENT TO EMERGENCY RESOLUTION NUMBER #96-6-17-09-1
CARROLL ROAD SANITARY SEWER REPLACEMENT

WHEREAS, an existing 18" sanitary sewer line was replaced on Carroll Road and was found during the replacement to be asbestos pipe, and;

WHEREAS, said replacement and asbestos removal could not reasonably be foreseen and requires immediate action, said;

WHEREAS, replacement and asbestos removal of the 18" ASB sanitary sewer line is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, T&E Exc., EMS (Emergency Management Specialists, Inc.) and Reilley Trucking Inc., have done the repair and will be doing the asbestos removal work and,

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue an **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 17th day of June, 2009.

BOARD OF PUBLIC WORKS

By _____
Regina A. Kostoff, Chair

By _____
John Suarez, Member

By _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

EMS INC.

Environmental Management Specialists, Inc.

June 4, 2009

City of Fort Wayne
515 East Wallace Street
Fort Wayne, Indiana 46803
Attn: Gary Merriman

Re: Removal and disposal of approximately 300 cubic yards of asbestos contaminated dirt and transite debris located at the Allen County Highway Department.

Dear Gary:

We propose to complete the above referenced scope of work for the Time and Material Not to Exceed Sums as follows:

- **Labor and Materials** **NTE $12,000.00**
- **Transportation to Jay County Landfill ((30) 15 CY)** **NTE $14,063.00**
- **Landfill (up to 390 tons)** **NTE $13,165.00**

The above mentioned pricing is inclusive of all labor, material, insurance, air monitoring and landfill fees required to complete the proposed scope of work in accordance with all OSHA, EPA and IDEM rules and regulations.

Please call me with any questions at your convenience.

Sincerely,

ENVIRONMENTAL MANAGEMENT
SPECIALISTS, INC.

Bill Papaik
Project Manager

WPCM
CITY OF FORT WAYNE
JUN 05 2009
RECEIVED

2409 Hunter St, P.O. Box 39, Huntertown, IN 46748-0039 • Office: (260) 637-9414 • Fax: (260) 637-9614

Reilley Trucking Inc.

4220 Earth Dr. Fort Wayne, IN 46809

Kim Reilley (260)438-0962

Bid To haul contaminated dirt from (ACHD) Allen County Highway Department (Carroll Rd.) To Jay County Land-Fill.

Price: $300.00/ Load

Roll-off boxes Estimated 15 yards/box/per load.

IMPROVEMENT RESOLUTION NO. 7244-09

SOUTHTOWN CENTRE TRAIL, PHASE I
WORK ORDER NO. 12016

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: The southern terminus of the 23-mile Rivergreenway is Tillman Park. The Southtown Centre multi-use trail will extend the Rivergreenway to Southtown Centre. Phase I is 3200 lineal feet and will run from Tillman Park to the Public Safety Academy at Southtown Centre. The trail will also connect with Southbridge Apartments via an existing sidewalk.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 17th day of June, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Southtown Centre Greenway Trail - Phase I

RES. NO.: 7244-09

DATE: 5/26/2009

W.O. NO.: 12016

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mob/Demob	1	LS	13200.00	13200.00
2.	Construction Staking	1	LS	2400.00	2400.00
3.	Demo Concrete Sidewalk	355	SY	6.00	2130.00
4.	Demo Concrete Curb	165	LF	6.00	990.00
5.	Demo Trees	0.3	AC	4750.00	1425.00
6.	Demo Post	2	EA	30.00	60.00
7.	Demo Asphalt	30	SY	10.00	300.00
8.	Demo Pipe	45	LF	15.00	675.00
9.	Demo Inlet	2	EA	200.00	400.00
10.	Relocate Sign	4	EA	30.00	120.00
11.	Relocate Mailboxes	3	EA	125.00	375.00
12.	Concrete Sidewalk	545	SY	40.00	21800.00
13.	Concrete Pavement	60	SY	48.00	2880.00
14.	Concrete Curb & Gutter	35	LF	34.00	1190.00
15.	Asphalt Sidewalk	1790	SY	35.00	62650.00
16.	Asphalt Pavement	30	SY	90.00	2700.00
17.	HydroSeeding, HydroStick or Equivalent Polymer for Erosion Control	1925	SY	2.00	3850.00
18.	Bridge	1	LS	55100.00	55100.00
19.	Railing	450	LF	36.00	16200.00
20.	Signs	4	EA	240.00	960.00
21.	Pavement Striping	1	LS	360.00	360.00
22.	Silt Fence	2265	LF	2.50	5662.50
23.	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	9	EA	65.00	585.00
24.	Silt Dike	4	EA	65.00	260.00
25.	Erosion Control Blanket	240	SY	2.50	600.00
26.	Construction Entrance	2	EA	725.00	1450.00
27.	Concrete Washout	2	EA	600.00	1200.00
28.	12" Pipe	55	LF	31.00	1705.00
29.	12" Metal End Section	4	EA	160.00	640.00
30.	16" Pipe	45	LF	54.00	2430.00
31.	33" Inlet	3	EA	1000.00	3000.00
32.	Field Tile	60	LF	18.00	1080.00
33.	Special Backfill	35	CY	26.00	910.00
34.	Rip Rap	45	SY	31.00	1395.00
35.	Geogid, BX-1100 or approved equal, Undistributed	500	SY	4.75	2375.00
36.	Utility Allowance	1	LS	5000.00	5000.00
37.	Traffic Control	1	LS	6000.00	6000.00

SUB-TOTAL:	224057.50
E&I @16%	35849.20
TOTAL:	**$259,906.70**

Revised 02-13-04

BID

PROJECT: Southtown Centre Greenway Trail - Phase I RES. NO.: 7244-09

DATE: W.O. NO.: 12016

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mob/Demob	1	LS		
2.	Construction Staking	1	LS		
3.	Demo Concrete Sidewalk	355	SY		
4.	Demo Concrete Curb	165	LF		
5.	Demo Trees	0.3	AC		
6.	Demo Post	2	EA		
7.	Demo Asphalt	30	SY		
8.	Demo Pipe	45	LF		
9.	Demo Inlet	2	EA		
10.	Relocate Sign	4	EA		
11.	Relocate Mailboxes	3	EA		
12.	Concrete Sidewalk	545	SY		
13.	Concrete Pavement	60	SY		
14.	Concrete Curb & Gutter	35	LF		
15.	Asphalt Sidewalk	1790	SY		
16.	Asphalt Pavement	30	SY		
17.	HydroSeeding, HydroStick or Equivalent Polymer for Erosion Control	1925	SY		
18.	Bridge	1	LS		
19.	Railing	450	LF		
20.	Signs	4	EA		
21.	Pavement Striping	1	LS		
22.	Silt Fence	2265	LF		
23.	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	9	EA		
24.	Silt Dike	4	EA		
25.	Erosion Control Blanket	240	SY		
26.	Construction Entrance	2	EA		

27.	Concrete Washout	2	EA		
28.	12" Pipe	55	LF		
29.	12" Metal End Section	4	EA		
30.	16" Pipe	45	LF		
31.	33" Inlet	3	EA		
32.	Field Tile	60	LF		
33.	Special Backfill	35	CY		
34.	Rip Rap	45	SY		
35.	Geogid, BX-1100 or approved equal, Undistributed	500	SY		
36.	Utility Allowance	1	LS		
37.	Traffic Control	1	LS		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: 11/1/09
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

bid page no. 1.

_____
Contractors Signature

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: June 10, 2009

RE: 2009 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $26,374.58 to be paid from the proceeds of the 2009 Passenger Vehicle Lease Financing which are held in an escrow at SunTrust Bank.

Payment Request #5

Ziebart, Inc.	288.19
Steven R. Jenkins Co., Inc.	7,173.64
Summit City Chevrolet	18,912.75
Total for Payment Request	**$ 26,374.58**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

June 24, 2009
Date

RESOLUTION NO. 2160-2008
KRUSE BRANCH #2 STORM DRAINAGE IMPROVEMENTS

WHEREAS, stormwater drainage problem exists at the Kruse Branch #2 Drain located within the Wheatridge Addition in the City of Fort Wayne, Indiana; and

WHEREAS, Utility Engineering determined that this is a public problem and a repair is warranted; and

WHEREAS, Utility Engineering has developed an improvement plan to repair the stormwater drainage problem; and

WHEREAS, the improvement involves the reconstruction approx. 335 LF of the Kruse Branch #2 drainage channel, finished grading, seeding and restoration within the Wheatridge Addition; and

WHEREAS, Utility Engineering invited six (6) Contractors to submit invitational bids for said improvements.

WHEREAS, Utility Engineering and has received said invitational bids for said improvements as follow:

Bercot, Inc.	$57,457.00
Scheidleman Excavating	$48,798.88
Crosby Excavating	$37,994.20
Pyramid Excavating	$No Bid
Land Construction	**$36,665.00**
Kurtz Excavating	$No Bid
Engineer's Estimate	***$44,557.50***

NOW, THEREFORE, the Board of Stormwater Management hereby declares a drainage improvement is necessary and requests the Purchasing Department to issue a Purchase Order to **Land Construction in the amount of $36,665.00.**

Adopted, this 24th day of June, 2009.

BOARD OF STORMWATER MANAGEMENT

Robert P. Kennedy,
Chairman

John Suarez,
Member

Matthew A. Wirtz,
Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

7100 BLOCK STELLHORN ROAD
SEPTIC ELIMINATION PROJECT

RESOLUTION NO. 2238-2009

WO # 75393

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 558 LF of 8" sanitary sewer, 4 manholes and 5 six-inch sanitary sewer laterals with appurtenances to serve 4 existing and 1 future residential properties along Stellhorn Road located on the northeast side Fort Wayne.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "7100 Blk Stellhorn Road Septic Elimination Project."

Declares the cost of the said improvements shall be paid by the funds from the property owners (Barrett Law) and the Fort Wayne Sanitary Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the inhabitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares the Board of Public Works has acquired all necessary property rights as summarized in Exhibit "A".

Declares that this project will be constructed entirely within existing right-of-way and/or public easement areas.

States there are no cost associated with the purchase of any land for with this project.

Declares the engineer's estimate of the project's total construction cost is $50,000.00.

Declares the maximum fee to be collected from the affected property owners are those shown on the Exhibit "B" Cost Allocation Spreadsheet.

Declares that this project is being undertaken in connection with the settlement of an enforcement action by the United States and the State of Indiana concerning Combined Sewer Overflows.

APPROVED THIS 1st DAY OF July, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

7100 Blk Stellhorn Road Septic Elimination Project - PROPERTY ACQUISITION SUMMARY - WO# 75393						
EXHIBIT A						
Parcel #	Property Owner Name	Address	Perm. Access Easement	Perm. Easement Width	Temp. Easement Width	Instrument No.
1	Sandra Cagle	7047 Stellhorn Rd	30	0	0	2009033596
1	Sandra Cagle	7047 Stellhorn Rd	0	20	0	2008052534
2	Troy & Linda Wooten	7115 Stellhorn Rd	0	20	0	2008049924
3	Troy & Linda Wooten & Jeffrey & Lisa Wooten	7149 Stellhorn Rd	0	20	0	2008049923
4	Ronald Grunwald	7167 Stellhorn Rd	0	20	0	2009032635

Sanitary Sewer Petition Project Location: 7100 Blk Stellhorn Road Septic Elimination Project - W.O# 75393 / Resolution# 2238-2009

Parcel	Property Owner	Legal Description	Property Address	ERUs	Area Connection Fee	No. of Taps	No. of Units	P.O. Unit Cost	P.O. Assessment	City Utilities Cost	Total Property Cost	Comments
A	Sandra Cagle	W 82.75 Ft of S 526.4 Ft W 1/2 SE 1/4 Sec 22	7047 Stellhorn Rd	1	$2,066.00	1	1	$6,000.00	$6,000.00	$6,500.00	$12,500.00	
B	Troy & Linda Wooten	E 165.5 of W 413.75 of S 526.4 Ft W 1/2 SE 1/4 Sec 22	7115 Stellhorn Rd	1	$2,066.00	1	1	$6,000.00	$2,763.00	$6,500.00	$12,500.00	P.O. Pd $3,237 in Engineering Costs
C	Troy & Linda Wooten & Jeffery & & Lisa Wooten	E 82.75 Ft of W 496.50 of S 526.4 Ft W 1/2 SE 1/4 Sec 22	7149 Stellhorn Rd	1	$2,066.00	1	1	$6,000.00	$6,000.00	$6,500.00	$12,500.00	
D	Ronald Grunwald	E 82.75 of W 579.25 of S 526.4 Ft W 1/2 SE 1/4 Sec 22	7167 Stellhorn Rd	1	$2,066.00	1	1	$6,000.00	$6,000.00	$6,500.00	$12,500.00	
E	David Goodwin	Lot 85 Imperial Gardens Extended	7024 Wren Lane	0	$0.00	0	0	$0.00	$0.00	$0.00	$0.00	Already Served - Ex. Esmt
F	Jeff Bastress	Lot 86 Imperial Gardens Extended	7114 Wren Lane	0	$0.00	0	0	$0.00	$0.00	$0.00	$0.00	Already Served - Ex. Esmt
			sub-totals	4	$8,264.00	4	4		$20,763.00	$26,000.00	$50,000.00	

EXHIBIT B Cost Allocation Spreadsheet

6/29/09

Sanitary Sewer Petition Project Location: 7100 Blk Stellhorn Road Septic Elimination Project - W.O# 75393 / Resolution# 2238-2009

Parcel	Property Owner	Legal Description	Property Address	ERUs	Area Connection Fee	No. of Taps	No. of Units	P.O. Unit Cost	P.O. Assessment	City Utilities Cost	Total Property Cost	Comments
A	Sandra Cagle	W 82.75 Ft of S 526.4 Ft W 1/2 SE 1/4 Sec 22	7047 Stellhorn Rd	1	$2,066.00	1	1	$6,000.00	$6,000.00	$6,500.00	$12,500.00	
B	Troy & Linda Wooten	E 165.5 of W 413.75 of S 526.4 Ft W 1/2 SE 1/4 Sec 22	7115 Stellhorn Rd	1	$2,066.00	1	1	$6,000.00	$2,763.00	$6,500.00	$12,500.00	P.O. Pd $3,237 in Engineering Costs
C	Troy & Linda Wooten & Jeffery & & Lisa Wooten	E 82.75 Ft of W 496.50 of S 526.4 Ft W 1/2 SE 1/4 Sec 22	7149 Stellhorn Rd	1	$2,066.00	1	1	$6,000.00	$6,000.00	$6,500.00	$12,500.00	
D	Ronald Grunwald	E 82.75 of W 579.25 of S 526.4 Ft W 1/2 SE 1/4 Sec 22	7167 Stellhorn Rd	1	$2,066.00	1	1	$6,000.00	$6,000.00	$6,500.00	$12,500.00	
E	David Goodwin	Lot 85 Imperial Gardens Extended	7024 Wren Lane	0	$0.00	0	0	$0.00	$0.00	$0.00	$0.00	Already Served - Ex. Esmt
F	Jeff Bastress	Lot 86 Imperial Gardens Extended	7114 Wren Lane	0	$0.00	0	0	$0.00	$0.00	$0.00	$0.00	Already Served - Ex. Esmt
			sub-totals	4	$8,264.00	4	4		$20,763.00	$26,000.00	$50,000.00	

SR 3 (Ludwig Road to Du Pont Road) – WATER MAIN REPLACEMENT RESOLUTION NO. 2168-2008

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 368 LF of 24-inch, 214 LF of 16-inch, 308 LF of 12-inch, 286 LF of 8-inch, 184 LF of 6-inch, 74 LF of 4-inch Ductile Iron pipe by open cut method and approximately 204 LF of 24-inch, 2,412 LF of 16-inch, 4,029 LF of 12-inch, 3,175 LF of 8-inch, HDPE pipe by HDD method, 20 fire hydrants and all other appurtenances as necessary for the water main replacement project. The improvement also includes additional sewer replacement of 105 LF of 8-inch, 59 LF of 6-inch, and additional manhole removal and replacement work.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "SR 3 Utility Relocation Improvements".

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $1,925,000.00

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 1st DAY OF July, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7233-09

W. SHERWOOD TERR. - OLD MILL RD. TO STRATFORD RD.
WORK ORDER NO. 12062

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: W. Sherwood Terr. from old Mill Rd. to Stratford Rd by reconstructing the existing street with new 16' wide concrete pavement with underdrains, reconstructing the existing drive approaches and new storm drainage structures and pipe.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for new concrete pavement and drive approaches shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for drainage structures and pipe shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 8th day of July, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: West Sherwood Terr. Pavement Reconstruction
Old Mill Rd. to Stratford
DATE:8/11/2009

RES. NO.: 7233-09

W.O. NO.: 12062

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Common Excavation	470	CY	15.00	7050.00
2.	Removal of Curb	90	LF	5.00	450.00
3.	Removal of Pavement	465	SY	6.00	2790.00
4.	Cement Concrete Pavement Plain 6"	1100	SY	25.00	27500.00
5.	Concrete Curb Type II-B	90	LF	15.00	1350.00
6.	Concrete Sidewalk (4")	15	SY	25.00	375.00
7.	Concrete Wingwalk & Ramps (6")	10	SY	40.00	400.00
8.	Concrete Pavement for Residential Drive	130	SY	28.00	3640.00
9.	Type "O" Compacted Aggregate No. 53 Stone	260	TON	15.00	3900.00
10.	Underdrain, 6" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	1100	LF	8.00	8800.00
11.	New Inlet Type IV-C	1	EA	2000.00	2000.00
12.	New Inlet Type 1-C	2	EA	1200.00	2400.00
13.	12" RCP Class IV	50	LF	40.00	2000.00
14.	Bed Coarse Material	30	TON	10.00	300.00
15.	Backfill Behind Curbs	90	TON	8.00	720.00
16.	Top Soil	110	TON	15.00	1650.00
17.	HydroSeeding With HydroStick or Equivalent Polymer for Erosion Control	670	SY	3.00	2010.00
18.	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'X4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	1	EA	200.00	200.00
19.	Type "A" Construction Signs	5	EA	80.00	400.00
20.	Type III-B Barricades	4	EA	65.00	260.00
21.	Type III-B Barricades with Signs	2	EA	100.00	200.00
22.	Mobilization And Demobilization	1	LS	5000.00	5000.00
23.	Maintenance of Traffic	1	LS	5000.00	5000.00
24.	Clearing of Right of Way	1	LS	3000.00	3000.00
25.	Bituminous Surface #12 HMA	5	Ton	70.00	350.00
26.	Work Allowance	1	LS	5000.00	5000.00

SUB-TOTAL:	86745.00
E&I @25%	21686.25
TOTAL:	**$108,431.25**

Revised: 02-13-04

3A

BID

PROJECT: West Sherwood Terr. Pavement Reconstruction RES. NO.: 7233-09
Old Mill Rd. to Stratford
DATE: 6/17/2009 W.O. NO.: 12062

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Common Excavation	470	CY		
2.	Removal of Curb	90	LF		
3.	Removal of Pavement	465	SY		
4.	Cement Concrete Pavement Plain 6"	1065	SY		
5.	Concrete Curb Type II-B	90	LF		
6.	Concrete Sidewalk (4")	15	SY		
7.	Concrete Wingwalk & Ramps (6")	10	SY		
8.	Concrete Pavement for Residential Drive	130	SY		
9.	Type "O" Compacted Aggregate No. 53 Stone	260	TON		
10.	Underdrain, 6" Perforated Plastic, Group K Pipe (Incl. #8 Aggregate Backfill)	1100	LF		
11.	New Inlet Type IV-C	1	EA		
12.	New Inlet Type 1-C	2	EA		
13.	12" RCP Class IV	75	LF		
14.	Bed Coarse Material	30	TON		
15.	Backfill Behind Curbs	90	TON		
16.	Top Soil	110	TON		
17.	HydroSeeding With HydroStick or Equivalent Polymer for Erosion Control	670	SY		
18.	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'X4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	1	EA		
19.	Type "A" Construction Signs	5	EA		
20.	Type III-B Barricades	4	EA		
21.	Type III-B Barricades with Signs	2	EA		
22.	Mobilization And Demobilization	1	LS		
23.	Maintenance of Traffic	1	LS		
24.	Clearing of Right of Way	1	LS		
25.					

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: NOVEMBER 1st, 2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

_____
Contractors Signature

IMPROVEMENT RESOLUTION NO. 7246-09

LEESVILLE PLACE
WORK ORDER NO. 12133

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Leesville Place from Railfence Road north to the Cul-de-sac. By reconstructing the entire concrete pavement with Hydroseeding restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 8th day of July, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Leesville Place
ARLINGTON PARK NEIGHBORHOOD ASSOCIATION
DATE: 7/3/09

RES. NO.: 7246-09

W.O. NO.: 12133

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete Pavement	1000	SY	6.00	6000.00
2.	Removal of Concrete	5	SY	6.00	30.00
3.	Cement Concrete Pavement,Plain 6" Incl."type I-A curb"	1000	SY	24.00	24000.00
4.	Concrete Sidewalk (4")	5	SY	24.00	120.00
5.	Compacted aggregate for base "O" - #53	215	TON	15.00	3225.00
6.	Backfill For Behind Curbs	70	TON	15.00	1050.00
7.	Top Soil	35	TON	15.00	525.00
8.	Hydroseeding with Polymer (Erosion Control)	100	SY	3.00	300.00
9.	Tree Removal	1	EA	500.00	500.00
10.	Construction Signs Type "A"	3	EA	50.00	150.00
11.	Standard Barricade, Type III with Lights & Signs	8	EA	100.00	800.00
12.	Sediguard Inlet Protection Device or Approved Equivalent For Sediment Control	2	EA	70.00	140.00
13.	Mobilization and Demobilization	1	LS	1842.00	1842.00
14.	Maintenance of Traffic	1	LS	1473.60	1473.60
15.	Utility Allowance	1	LS	3000.00	3000.00

SUB-TOTAL:	43155.60
E&I @30%	12946.68
TOTAL:	**$56,102.28**

Revised: 02-13-04

Penn Avenue Area Sewer Separation
RESOLUTION NO. 2184-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Approximately 1000 ft of 12 and 15 inch sewers will be installed by open cut and directional drill methods along Penn avenue. This storm sewer will pull 8 inlets off the combined system in the area that have historically contributed to basement backups and CSO's.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, Penn Avenue Area Sewer Separation

Declares the cost of the said improvements shall be paid by the funds from Fort Wayne Sewer Utility (2009 Sewer Bond).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $260,000

APPROVED THIS 8th DAY OF July, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Smith Roosevelt Ph. 2 Partial Sewer Separation
RESOLUTION NO. 2236-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 3,400 LF of storm sewers and 1,000 LF of sanitary sewers with all appurtenant manholes, inlets and drainage outfall structures, associated with the partial sewer separation in the vicinity of Smith Roosevelt.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Smith Roosevelt Ph. 2 Partial Sewer Separation.**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (SRF).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is **$750,000**.

APPROVED THIS 8th DAY OF July, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: _____
Kumar Menon, Member

BY: John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Woodrow / Vance Partial Sewer Separation
RESOLUTION NO. 2235-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 7,300 LF of storm sewers and 6,800 LF of water lines with all appurtenant manholes, inlets and drainage outfall structures, associated with the partial sewer separation in the vicinity of Woodrow / Vance.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Woodrow / Vance Partial Sewer Separation.**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (SRF).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is **$3,600,000**.

APPROVED THIS 8th DAY OF July, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: _____
Kumar Menon, Member

BY: John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: June 26, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$366,554.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the 3RFP North Pump Building, the St. Joe Dam Pump Station project, the Lake Ave. Water Main project and the 3RFP Filter Valve Replacement project

Draw #242	HNTB Corp.	$ 30,091.00
Draw #243	Fleming Excavating & First Merchants Bank	47,305.00
Draw #244 & #245	Weigand Construction & Star Financial Bank	88,067.00
Draw #246	Hagerman Construction	50,204.00
Draw #247	Donohue & Assoc.	111,744.00
Draw #248-#250	CH2M Hill	39,143.00
	Total Payments	**$366,554.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

July 8, 2009
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: July 10, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$229,284.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the 3RFP North Pump Building, the St. Joe Dam Pump Station project, and the Lake Ave. Water Main project.

Draw #251 & 253	CH2M Hill	$ 55,251.00
Draw #252	City Utilities – City of Fort Wayne	85,696.00
Draw #254	Fleming Excavating & First Merchants Bank	88,337.00
	Total Payments	**$229,284.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

July 15, 2009
Date

26

IMPROVEMENT RESOLUTION NO. 7242-09

JOHNNY APPLESEED TO SHOAFF PARK TRAIL, PHASE II, CONSTRUCTION
WORK ORDER NO. 12022

RESOLVED BY THE BOARD OF WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve:

The Rivergreenway Extension to Shoaff Park will be a three mile multi-use trail, divided into three phases. Phase II is 3,800 lineal feet in length. The trail will be 10 feet wide and will run from the northern terminus of East Shore Drive to the park road in Shoaff Park. This project also includes a short section of trail at the intersection of St. Joe Center Road and Upper St. Joe Center Road.

All in accordance with details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid for by grant funds from the Foellinger Foundation and the Parkview Foundation in the amount of $180,000.

Adopted this 15th day of July, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Estimate of Quantities

Project: Johnny Appleseed Park to Shoaff Park Trail Phase 2

Date: July 17, 2009 **RES No.: 7242-09**

Bid Date: August 5, 2009 **W.O. No.: 12022**

Item No.	Item	Quantity	Unit	Unit Cost	Total Cost
1	Clearing and Grubbing	1.0	LSum	$3,375.00	$ 3,375.00
2	Construction Engineering	1.0	LSum	$3,400.00	$ 3,400.00
3	Mobilization and Demobilization	1.0	LSum	$8,400.00	$ 8,400.00
4	Sign and Post, Remove	2.0	Each	$231.15	$ 462.30
5	Excavation, Common	668.0	Cys	$29.20	$ 19,505.60
6	Linear Ditch Grading	72.0	Lft	$25.00	$ 1,800.00
7	Borrow	420.0	Cys	$22.00	$ 9,240.00
8	Erosion Control Blanket	157.4	Sys	$5.00	$ 787.00
9	Temporary Ditch Inlet Protection	1.0	Each	$150.00	$ 150.00
10	Temporary Culvert Protection	0.4	Tons	$200.00	$ 80.00
11	Temporary Silt Fence	2133.0	Lft	$2.00	$ 4,266.00
12	No. 2 Stone	0.5	Tons	$100.00	$ 50.00
13	Tree Protection	19.0	Each	$236.15	$ 4,486.85
14	Boardwalk	76.0	Lft	$425.00	$ 32,300.00
15	Structure Backfill	12.7	Cys	$38.80	$ 492.76
16	Compacted Aggregate, No. 53, Base	827.0	Tons	$27.45	$ 22,701.15
17	HMA Surface, Type A	124.0	Tons	$104.60	$ 12,970.40
18	HMA Intermediate, Type A	248.0	Tons	$84.25	$ 20,894.00
19	Asphalt for Tack Coat	0.6	Tons	$412.00	$ 247.20
20	Wood Rail Fence	194.0	Lft	$70.00	$ 13,580.00
21	Geotextiles	2.5	Sys	$3.75	$ 9.38
22	Mulched Seeding, Legume 1	157.4	Sys	$1.15	$ 181.01
23	Mulched Seeding, Type U	1923.0	Sys	$0.90	$ 1,730.70
24	Pipe End Section, 12 in.	3.0	Each	$384.00	$ 1,152.00
25	Pipe, HDPE, 12 in.	125.0	Lft	$50.00	$ 6,250.00
26	Standard 24" Inlet	1.0	Each	$1,530.00	$ 1,530.00
27	Modular Block Tree Protection Wall	11.4	Sys	$300.00	$ 3,420.00
28	Construction Sign, A	3.0	Each	$176.35	$ 529.05
29	Bollard, Removable	4.0	Each	$1,200.00	$ 4,800.00
30	Sign Post, Square 1, Reinforced Anchor Base	80.0	Lft	$16.50	$ 1,320.00
31	Sign, Sheet, Encapsulated Lens with Legend, 0.100 in. thickness	46.0	Sft	$24.50	$ 1,127.00
	TOTAL				$ 181,237.40

PLANT 3 CLARIFIER IMPROVEMENTS PROJECT
RESOLUTION NO. 2207-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

This work is generally described as general construction, mechanical, and electrical work to remove existing clarifier equipment and to furnish and install new.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, PLANT 3 CLARIFIER IMPROVEMENTS PROJECT

Declares the cost of the said improvements shall be paid by the funds from the 2006 State Revolving Fund.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $225,000.00.

APPROVED THIS 15th DAY OF July, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon Member

ATTEST: _____
Marilyn Huth, Clerk

GENERAL OPEN-CUT SEWERS 2009 – PACKAGE #1
RESOLUTION NO. 2200-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform the following:

> Approx. 347 LF of sewer excavation/replacement, 137 LF of sewer point repairs and 7 manhole replacement by means of open-cut excavation described by project drawings and specifications. Alternates include an additional of 341 LF of sewer excavation/replacement, 86.8 LF of sewer point repairs and 4 manhole replacements by means of open-cut excavation.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **General Open-Cut Sewers 2009 – Package #1**.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Utilities 2009 Sewer Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost of **$417,655.00**.

APPROVED THIS 15th **DAY OF** July **, 2009.**

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
Kumar Menon, Member

BY: _____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 2190 - 2009

Flood Control Program: Winchester Road Flood Fighting Project
WORK ORDER NO.: 83108

RESOLVED BY THE BOARD OF STORMWATER MANAGEMENT OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Flood fighting improvements for the Winchester Road area by constructing approximately 1150 feet of earthen levee along the west side of the St. Mary's River and the northeast side of Winchester Road from the east side of property at 5433 Winchester Road to 5631 Winchester Road. The improvements also include grading for increased flood water storage, storm sewer upgrades, sanitary sewer and water main flood proofing, seeding restoration and other related erosion control work.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Stormwater of said City; and such improvement is now ordered.

It is hereby found by said Board of Stormwater Management that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 15th day of July, 2009.

BOARD OF STORMWATER MANAGEMENT

Robert P. Kennedy, Chairman

John Suarez, Member

Matthew A. Wirtz, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7248-09

WELLS STREET STREETSCAPE IMPROVEMENTS
WORK ORDER NO. 12149

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: Project limits are on Wells Street from Fairmount Place to Huffman Street. All existing curbface walk and drive approaches will be replaced. Several bumpout areas will be created for better pedestrian movement. Some streetscaping elements will be provided including bollards at the bumpout areas, park benches, gateway markers and banner poles depicting the Wells Corridor commercial district. The roadway will be milled and resurfaced with new thermoplastic pavement markings. Existing street lighting will remain.

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

This project is funded by a Community Development Block Grant and Community Economic Development Income Tax (CEDIT).

Adopted this 15th day of July, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

Addendum #2

PROJECT: Wells Steet Streetscape Improvements **RES. NO.: 7248-09**

DATE: 7/29/2009 **W.O. NO.: 12149**

BID DATE: August 5, 2009

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Construction Engineering	1.00	LS	15,000.00	15,000.00
2	Maintenance of Traffic	1.00	LS	18,000.00	18,000.00
3	Mobilization and Demobilization	1.00	LS	27,000.00	27,000.00
4	Site Clean Up	1.00	LS	4,000.00	4,000.00
5	Concrete Pole Removal	1.00	EACH	2,500.00	2,500.00
6	Curb Removal	4,650.00	LFT	3.50	16,275.00
7	Pavement Removal	315.00	SYS	26.00	8,190.00
8	Sidewalk Removal include stone base	3,465.00	SYS	15.00	51,975.00
9	Sign Removal	1.00	LS	2,000.00	2,000.00
10	Tree Removal include stump removal	1.00	LS	1,500.00	1,500.00
11	Approach, Concrete include stone base, reinforcement and scoring	840.00	SYS	60.00	50,400.00
12	Banner Pole include foundation and hardware	6.00	EACH	7,500.00	45,000.00
13	Bench include surface mounting and hardware	7.00	EACH	2,500.00	17,500.00
14	Bike Rack include surface mounting and hardware	12.00	EACH	500.00	6,000.00
15	Bollard include foundation and hardware	47.00	EACH	400.00	18,800.00
16	Concrete Backfill (this item to be included in various concrete items) **ITEM DELETED**	0.00 450.00	CYS	60.00	0.00
17	Curb Ramp include truncated dome inset, stone base, reinforcement	400.00	SYS	65.00	26,000.00
18	Curb, Straight Concrete	120.00	LFT	25.00	3,000.00
19	Flowable Fill	30.00	CYS	125.00	3,750.00
20	Gateway Marker include foundation and hardware	2.00	EACH	17,500.00	35,000.00
21	HMA Surface Type "B" **ITEM DELETED**	0.00 45.00	TON	75.00	0.00
22	Paver, Sidewalk include sand base, compaction, drainage, waterproof	1,215.00	SFT	12.00	14,580.00
23	Plant Material include planting soil, mulch, watering, fertilizer	51.00	EACH	60.00	3,060.00
24	Sidewalk, Integral Concrete Curb include stone base, reinforcement, scoring	3,095.00	SYS	85.00	263,075.00
25	Storm, 12 In. RCP include stone backfill, coring and grouting	732.00	LFT	90.00	65,880.00
26	Storm, 12 In. Square Yard Drain with Grate include stone backfill, coring and grouting	1.00	EACH	750.00	750.00
27	Storm, 8 In. N-12 Pipe include stone backfill	14.00	LFT	75.00	1,050.00
28	Storm, C-12 Casting	10.00	EACH	400.00	4,000.00
29	Storm, Inlet - Typical City 30 inch include stone backfill, coring and grouting	10.00	EACH	3,000.00	30,000.00
30	Storm, Type "A" Casting	2.00	EACH	400.00	800.00
31	LINE, THERMOPLASTIC, SOLID, WHITE, 4"	2,850.00	LFT	0.45	1,282.50
32	LINE, THERMOPLASTIC, BROKEN, WHITE, 4"	2,240.00	LFT	0.20	448.00
33	LINE, THERMOPLASTIC, SOLID, WHITE, 24"	1,725.00	LFT	3.50	6,037.50
34	LINE, THERMOPLASTIC, SOLID, YELLOW, 4"	3,740.00	LFT	0.40	1,496.00
35	LINE, THERMOPLASTIC, SOLID, YELLOW, 8"	500.00	LFT	1.25	625.00
36	LINE, THERMOPLASTIC, SOLID, YELLOW, 12"	222.00	LFT	1.50	333.00

ESTIMATE OF QUANTITIES

Addendum #2

PROJECT: Wells Steet Streetscape Improvements **RES. NO.: 7248-09**

DATE: 7/29/2009 **W.O. NO.: 12149**

BID DATE: August 5, 2009

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
37	PAVEMENT MESSAGE MARKING, THERMOPLASTIC, LANE INDICATION ARROW	11.00	EACH	75.00	825.00
38	PAVEMENT MESSAGE MARKING, THERMOPLASTIC, WORD "ONLY"	11.00	EACH	100.00	1,100.00
39	Pavment Striping Removal **ITEM DELETED**	0.00	LS	2,000.00	0.00
40	Excavation, Unclassified	1.00	LS	5,000.00	5,000.00
41	Sign Installation Include V-Lock hardware set in concrete	1.00	LS	1,500.00	1,500.00
	ADDENDUM # 2 ITEMS				0.00
42	SURFACE MILLING, BITUMINOUS	10,120.00	SY	1.25	12,650.00
43	BITUMINOUS MATERIAL FOR TACK COAT	5.24	TON	100.00	524.00
44	BITUMINOUS BINDER NO 11, H.M.A.	985.00	TON	45.00	44,325.00
45	BITUMINOUS SURFACE NO 11, H.M.A.	500.00	TON	52.00	26,000.00
46	BITUMINOUS MIXTURE FOR APPROACHES FOR SIDE STREETS	62.00	TON	60.00	3,720.00
47	WATER VALVE (FURNISH AND ADJUST TO GRADE) (UNDISTRIBUTED QUANTITY)	63.00	EA	50.00	3,150.00
48	Trench or Plow & Backfill	800.00	LF	1.50	1,200.00
49	Push or Bore	200.00	LF	6.00	1,200.00
50	Install Conduit in Trench	1,000.00	LF	1.25	1,250.00
51	Install Concrete Foundation (If ordered)	4.00	EA	500.00	2,000.00
52	Install 16' emb. Fiber Pole	2.00	EA	800.00	1,600.00
53	Install 12" Alum. Bolt Down Pole	3.00	EA	300.00	900.00
54	Install T.C. Fixture	4.00	EA	300.00	1,200.00
55	Install Wire	1,100.00	LF	3.50	3,850.00
56	Install I.D. Tag	4.00	EA	5.00	20.00
57	Remove & Replace Existing street light Poles (Secure storage Place)	34.00	EA	200.00	6,800.00
58	Temporary 4" Paint Solid Yellow (Centerline)	3,000.00	LF	0.30	900.00
59	Temporary 4" Paint Solid White (Lane Line)	200.00	LF	0.30	60.00
60	Temporary 24" Paint Stop Bar	65.00	LF	2.00	130.00
61	Temporary Arrow White	2.00	EA	75.00	150.00
62	Temporary Yellow Paint (for each pass 4" Line 36' gap)	160.00	LF	0.40	64.00
63	Adjust castings to grade	4.00	EA	125.00	500.00
64					0.00

SUB-TOTAL:	865,925.00
E&I @ 6%	51,955.50
TOTAL:	**917,880.50**

IMPROVEMENT RESOLUTION NO. 7245-2009

SOUTH ANTHONY BOULEVARD: CAPITOL AVENUE TO MCKINNIE AVENUE
WORK ORDER NO. 12126

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: S. Anthony Blvd. from Capitol Ave. to McKinnie Ave. by Portland Cement Concrete Pavement (PCCP) Rehabilitation; the existing asphalt overlay removed, existing PCCP cracked & seated, new asphalt overlay surface paved; sections of curb repaired; driveway approaches reconstructed; mark pavement with thermoplastic

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 15th day of July, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7243-09

CAMBRIDGE BLVD. -TRINITY BLVD. TO HARVARD BLVD.
WORK ORDER NO. 12120

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Cambridge Blvd. by repair of curbs, walks,yard walks, drives, wingwalks, & restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 15th day of July, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BID

CONTRACTOR:

RES. NO.: 7243-09

PROJECT: CAMBRIDGE AVE. - TRINITY BLVD. TO HARVARD BLVD.

W.O. NO.: 12120

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS		
2.	Removal of Concrete	2020	SY		
3.	Removal of Curb	1425	LF		
4.	Concrete Sidewalk (4")	1230	SY		
5.	Concrete for Residential Drives (6")	760	SY		
6.	Concrete Curb Type "III"	2050	LF		
7.	Top Soil	410	TON		
8.	Water Valves Adjusted to Grade (undistributed)	30	EA		
9.	Water Valves Furnish & Adjusted to Grade (undistributed)	8	EA		
10.	Hydroseeding, with Tack Additive, for Erosion and Sediment Control (Additive to be FINN Additve Sytem "E-Tack" or "Hydrostik" or approved equal)	1800	SY		
11.	Maintenance of Traffic	1	LS		
12.	Construction Sign Type "A"	4	EA		
13.	Casting Type "C" Furnished & Adjusted to Grade	1	EA		
14.	Castings Adjusted to Grade	8	EA		
15.	Bed Course Material Type "O" Compacted Aggregate for Base	475	TON		
16.	Inlet Protection Devices for Stormwater and Erosion Control ("Sediguard" Inlet Protection Device or Approved Equal)	9	EA		
17.	Concrete steps (If ordered)	1.5	CY		
18.	Tree Fertilization	27	EA		
19.	Concrete Wingwalk & Curb Ramps (including tactile warning surface tile system)	16	SY		
20.	Work Allowance	1	LS	1500.00	1500.00
21.	Common Excavation	28	CY		

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.
All work must be completed by : October 23, 2009
Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____

Contractors Signature

ESTIMATE OF QUANTITIES

PROJECT: CAMBRIDGE AVE. - TRINITY BLVD. TO HARVARD BLVD.
DATE: 6/10/2009
BID DATE:

RES. NO.: 7243-09
W.O. NO.: 12120

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1.00	LS	2,500.00	2,500.00
2.	Removal of Concrete	2,020.00	SY	6.00	12,120.00
3.	Removal of Curb	1,425.00	LF	5.00	7,125.00
4.	Concrete Sidewalk (4")	1,230.00	SY	25.00	30,750.00
5.	Concrete for Residential Drives (6")	760.00	SY	27.00	20,520.00
6.	Concrete Curb Type "III"	2,050.00	LF	12.00	24,600.00
7.	Top Soil	410.00	TON	18.00	7,380.00
8.	Water Valves Adjusted to Grade (undistributed)	30.00	EA	40.00	1,200.00
9.	Water Valves Furnish & Adjusted to Grade (undistributed)	8.00	EA	100.00	800.00
10.	Hydroseeding, with Tack Additive, for Erosion and Sediment Control (Additive to be FINN Additve Sytem "E-Tack" or "Hydrostik" or approved equal)	1,800.00	SY	2.00	3,600.00
11.	Maintenance of Traffic	1.00	LS	4,000.00	4,000.00
12.	Construction Sign Type "A"	4.00	EA	75.00	300.00
13.	Casting Type "C" Furnished & Adjusted to Grade	1.00	EA	425.00	425.00
14.	Castings Adjusted to Grade	8.00	EA	120.00	960.00
15.	Bed Course Material Type "O" Compacted Aggregate for Base	475.00	TON	14.00	6,650.00
16.	Inlet Protection Devices for Stormwater and Erosion Control ("Sediguard" Inlet Protection Device or Approved Equal)	9.00	EA	65.00	585.00
17.	Concrete steps (If ordered)	1.50	CY	550.00	825.00
18.	Tree Fertilization	27.00	EA	70.00	1,890.00
19.	Concrete Wingwalk & Curb Ramps (including tactile warning surface tile system)	16.00	SY	40.00	640.00
20.	Work Allowance	1.00	LS	1,500.00	1,500.00
21.	Common Excavation	28.00	CY	75.00	2,100.00

SUB-TOTAL:	130,470.00
E&I @25%	32,617.50
TOTAL:	**163,087.50**

Resolution #96-7-15-09-2
Reroute of Building Sewer at Indiana Tech

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The Utility will reimburse Indiana Tech for the following sewer work for #2007-S-04:

> Reroute existing interior building plumbing and reroute existing
> Exterior building sewer to connect to newly installed sanitary sewer.

WHEREAS, the cost of the said reroute shall be paid by the funds from the Fort Wayne Utilities Sewer Revenue.

WHEREAS, the project is necessary for the health and welfare of the campus and community.

WHEREAS, this project is of public utility benefit.

WHEREAS, the manufacturer's quote of the purchase cost is $31,649.46.

APPROVED this **15th** day of **July, 2009.**

BOARD OF PUBLIC WORKS

By: _____
Regina A. Kostoff, Chair

By: _____
John Suarez, Member

By: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

12-10
TOM PALLONE
WATER MAINT $31,000 CO
FOR SEWER REPAIR ?
427-2707
FAX 427-1353

September 17, 2007
Invoice# 07243
Job# 07167

Judy Roy
Indiana Tech
1600 E. Washington Blvd.
Fort Wayne, IN 46803

Invoice

Labor and material to repair a sewer line at the Indiana Tech site.

Labor:	Superintendent	100.0 hrs @ $45.00/hr (S/T)	$4,500.00
	"	25.5 hrs @ $58.50/hr (O/T)	1,491.75
	Foreman	5.0 hrs @ $40.00/hr (S/T)	200.00
	"	9.5 hrs @ $52.00/hr (O/T)	494.00
	Finisher	6.5 hrs @ $38.00/hr (S/T)	247.00
	"	12.0 hrs @ $49.40/hr (O/T)	592.80
	Laborer	68.0 hrs @ $32.00/hr (S/T)	2,176.00
	"	5.5 hrs @ $41.60/hr (O/T)	228.80
Material:			2,763.12
Subcontract Services:			18,370.94 *
Equipment Rental:			585.05
Sales Tax: (Tax Exempt Certificate received)			0.00
TOTAL DUE THIS INVOICE			**$31,649.46**

Thank you, it has been a pleasure working with you.

Net 10 days

approved for payment totalling #31,649.46. WO #75207

* STAR 13533
KAYSER SAW. 1,111
ROTO ROOTER 671
SCS MECH 2813
MISC $100 EA 243

Judy K. Roy, CPA
Vice President of Finance and Administration
jkroy@IndianaTech.edu
p: 260.422.5561 ext.2114
f: 260.420.1453
1600 E. Washington Boulevard
Fort Wayne, Indiana 46803
800.937.2448
www.IndianaTech.edu

Indiana Tech
FID # 35-0845258
February 15, 2008

City County Building
Attention: Nancy Townsend - City Utilities
One Main Street, Room 480
Fort Wayne, IN 46802

	Inv #	Total
Original Contract		73,000.00✓
Change Order #1		640.55✓
Additional work authorized by Tom Pallone		31,649.46
Design Collaborative	8480	201.00✓
Design Collaborative-Engineering Resources work	8952	5,610.00✓
LSI Work - Relocate electric box for manholes		5,000.00✓
Total Billing to be paid by City of Fort Wayne		$ 116,101.01

Payment due 30 days from invoice date.
If you have any questions, please contact me 260-399-2825

Judy Roy, VP Finance & Administration

Please mail check to:
Indiana Tech
Attn: Judy Roy, Seitz Building
1600 E. Washington Blvd.
Fort Wayne, IN 46803

approved for payment totaling
$31,649.46.
Cont 2007-S-04 WO # 75207
Nancy Townsend
2/30/08

Board Agenda Transmittal

To: Board of Public Works

From: Jeff Morris, WPCM, EXTENSION 5189

Date: 7/1/2009, 2:41 P.M.

#96-7-15-09-2

Re: Resolution/Contract# 2007-S-04, Work Order# 75207
Unanticipated Utility-related work associated with installation of a new sanitary sewer service lateral.

Enclosed are (3) originals of the following to be placed on the **Board** agenda for **7/15/2009**.

☒ Resolution - ~~Improvement~~ ☐ Award ☐ Acceptance ☐ Contracts ☐ Change Order

☐ Agreement Type ☐ Escrow Release ☐ Claims/Write offs

☐ Special Street Permit ☒ Other Unanticipated Building Sewer Reroute

***Prior Approval Required** ☐ **Yes** ☒ **No**

***Council Approval Required** ☐ **Yes** ☒ **No** **Date for Council Agenda:**

Project/Agreement Amount **$31,649.46**

Additional Comments: The work performed in this invoice was associated with the installation of a new sanitary sewer service lateral for an existing building. The Utility abandoned an existing sewer that was located under the building on the Indiana Tech campus. The building sewer service line was connected to the abandoned sewer; consequently the building sewer lateral had to be rerouted within the building, reconstructed outside the building and connected to the new sanitary sewer.

This work was unanticipated as WPCM inspected the sewer prior to abandonment but the building sewer was not identified/not seen.

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, TERMINATING THE PENDING CONDEMNATION PROCEEDING THAT WAS INITIATED AS PART OF RESOLUTION NUMBER 96-6-17-09-2 OF THE FORT WAYNE, INDIANA BOARD OF PUBLIC WORKS

RESOLUTION NUMBER: #96-7-15-09-1

WHEREAS, the Board of Public Works ("Board") of the City of Fort Wayne, Indiana ("City"), initiated administrative condemnation by and through Resolution Number 96-6-17-09-2, and pursuant to Indiana Code 32-24-2; and

WHEREAS, said condemnation was initiated because the City and the owner of the affected property could not agree upon a price to be paid for a sanitary sewer easement across the affected property; and

WHEREAS, a remonstrance hearing was scheduled for July 15, 2009, at 10:00 o'clock a.m.; and

WHEREAS, the City and the owner of the affected property reached an agreement on July 7, 2009, on the price to be paid for said easement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

1. That the Board hereby terminates the administrative condemnation that was initiated by and through Resolution Number 96-6-17-09-2.

2. That the Board hereby cancels and terminates the remonstrance hearing scheduled for July 15, 2009, at 10:00 o'clock a.m.

3. That this Resolution in no way changes or affects the portion of Resolution 96-6-17-09-2 that contained the Improvement Resolution approving the Upper Ely Sanitary Sewer project.

This resolution shall be in full force and effect from and after its adoption by the Board of Public Works of the City of Fort Wayne, Indiana.

APPROVED this 15th day of July, 2009.

BOARD OF PUBLIC WORKS

By: _____
Regina A. Kostoff, Chair

By: _____
Kumar Menon, Member

By: _____
John Suarez, Member

Attest: _____
Marilyn Huth, Clerk

Prepared by: Charles Northrop, City of Fort Wayne

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared

Regina A. Kostoff, Kumar Menon, and John Suarez, as Members of the Board of Public Works of the City of Fort Wayne, and Marilyn Huth, Clerk of the Board of Works, and acknowledged the execution of the foregoing contract as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 15th day of July, 2009.

_____
Notary Signature

Printed Name of Notary

MARJORIE ENDERS
Allen County
My Commission Expires
April 13, 2016

Resident of Allen County, Indiana

My Commission Expires: _____

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, TERMINATING THE PENDING CONDEMNATION PROCEEDING THAT WAS INITIATED AS PART OF RESOLUTION NUMBER 96-6-17-09-2 OF THE FORT WAYNE, INDIANA BOARD OF PUBLIC WORKS

RESOLUTION NUMBER: #96-7-15-09-1

WHEREAS, the Board of Public Works ("Board") of the City of Fort Wayne, Indiana ("City"), initiated administrative condemnation by and through Resolution Number 96-6-17-09-2, and pursuant to Indiana Code 32-24-2; and

WHEREAS, said condemnation was initiated because the City and the owner of the affected property could not agree upon a price to be paid for a sanitary sewer easement across the affected property; and

WHEREAS, a remonstrance hearing was scheduled for July 15, 2009, at 10:00 o'clock a.m.; and

WHEREAS, the City and the owner of the affected property reached an agreement on July 7, 2009, on the price to be paid for said easement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

1. That the Board hereby terminates the administrative condemnation that was initiated by and through Resolution Number 96-6-17-09-2.

2. That the Board hereby cancels and terminates the remonstrance hearing scheduled for July 15, 2009, at 10:00 o'clock a.m.

3. That this Resolution in no way changes or affects the portion of Resolution 96-6-17-09-2 that contained the Improvement Resolution approving the Upper Ely Sanitary Sewer project.

This resolution shall be in full force and effect from and after its adoption by the Board of Public Works of the City of Fort Wayne, Indiana.

APPROVED this 15th day of July, 2009.

BOARD OF PUBLIC WORKS

By: _____
Regina A. Kostoff, Chair

By: _____
Kumar Menon, Member

By: _____
John Suarez, Member

Attest: _____
Marilyn Huth, Clerk

Prepared by: Charles Northrop, City of Fort Wayne

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State personally appeared

Regina A. Kostoff, Kumar Menon, and John Suarez, as Members of the Board of Public Works of the City of Fort Wayne, and Marilyn Huth, Clerk of the Board of Works, and acknowledged the execution of the foregoing contract as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 15th day of July, 2009.

_____
Notary Signature

_____
Printed Name of Notary

MARJORIE ENDERS
Allen County
My Commission Expires
April 13, 2016

Resident of Allen County, Indiana

My Commission Expires: _____

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: July 1, 2009

RE: 2009 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $2,814.88 to be paid from the proceeds of the 2009 Passenger Vehicle Lease Financing which are held in an escrow at SunTrust Bank.

Payment Request #6

Ziebart, Inc.	2,625.75
Summit City Chevrolet	189.13
Total for Payment Request	**$ 2,814.88**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

July 22, 2009
Date

IMPROVEMENT RESOLUTION NO. 7234-09

MISCELLANEOUS CONSTRUCTION PACKAGE A-2009
WORK ORDER NO. 12090

CEDIT NEIGHBORHOOD/AT LARGE/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: Districts 1 thru 3 Misc. Concrete Repair/Sidewalk, Drive Approaches, Curb & Mulch Seed Restoration at 7619 Countryview Dr., 5705 Port Royal, 2912 Clipper Cove, 2916 Clipper Cove, 2924 Clipper Cove, 5716 Bayside Dr., 5714 Bayside Dr., 5702 Bayside Dr., 2509 E. St. Thomas Pt., Buckhurst Run from State Blvd. To Bell Tower, 2216 Kentucky Ave., 1326 Lynn Ave., 6723 Angello Ct., 2112 Brandywine Ct., 826 Laurel hill Pl., 610 Plainfield Dr., 501 Penn Ave., 1515 Barthold St., and Klug Park.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for SIDEWALKS, DRIVE APPROACHES & CURB shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for hydroseeding with polymer restoration shall be assessed 100% on the City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 22nd day of July, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Miscellaneous Construction Package A 2009
DATE:
BID DATE: 8-12-09

RES. NO.: 7234-09
W.O. NO.: 12090

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete	348	SY	7.00	2436.00
2	Curb Removal	1082	LF	7.00	7574.00
3	Concrete Sidewalk (4")	320	SY	25.00	8000.00
4	Common Excavation	25	CY	20.00	500.00
5	Concrete Curbface Walk	70	SY	38.00	2660.00
6	Concrete Curb Type III	1000	LF	15.50	15500.00
7	Concrete Curb Type I-B	32	LF	16.00	512.00
8	Special 4' wide Concrete Curb	80	LF	22.00	1760.00
9	Concrete Pavement for Residential Drive	25	SY	30.00	750.00
10	Concrete Wingwalks ADA Ramps	70	SY	45.00	3150.00
11	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2' x 4' Composite Wetset Tactile warning Surface Units (Brick Red in Color)	6	EA	300.00	1800.00
12	Type "A" Signs	18	EA	50.00	900.00
13	Casting Type "C" Furnished and Adjusted to Grade	1	EA	350.00	350.00
14	Topsoil	170	TON	15.00	2550.00
15	Sediguard Inlet Protection Device	2	EA	100.00	200.00
16	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	430	SY	2.00	860.00
17	Fertilize Tree	12	EA	50.00	600.00
18	Bed Coarse	70	TON	15.00	1050.00
19	Mobilization & Demobilization	1	LS	2557.60	2557.60
20	Maintenance of Traffic	1	LS	2046.08	2046.08
21	Curb box Adjusted to Grade	1	EA	25.00	25.00

SUB-TOTAL:	55780.68
E&I @25%	13945.17
TOTAL:	**69725.85**

Revised: 02-13-04

BID

CONTRACTOR: _____

PROJECT: Miscellaneous Construction Package A 2009 **RES. NO.: 7234-09**

BID DATE: 8-12-09 **W.O. NO.: 12090**

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete	348	SY		
2	Curb Removal	1082	LF		
3	Concrete Sidewalk (4")	320	SY		
4	Common Excavation	25	CY		
5	Concrete Curbface Walk	70	SY		
6	Concrete Curb Type III	1000	LF		
7	Concrete Curb Type I-B	32	LF		
8	Special 4' wide Concrete Curb	80	LF		
9	Concrete Pavement for Residential Drive	25	SY		
10	Concrete Wingwalks ADA Ramps	70	SY		
11	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2' x 4' Composite Wetset Tactile warning Surface Units (Brick Red in Color)	6	EA		
12	Type "A" Signs	18	EA		
13	Casting Type "C" Furnished and Adjusted to Grade	1	EA		
14	Topsoil	170	TON		
15	Sediguard Inlet Protection Device	2	EA		
16	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	430	SY		
17	Fertilize Tree	12	EA		
18	Bed Coarse	70	TON		
19	Mobilization & Demobilization	1	LS		
20	Maintenance of Traffic	1	LS		
21	Curb box Adjusted to Grade	1	EA		
				TOTAL:	

Note: Contractor will be paid on measured quanities only at unit price bid.
All work must be completed by : 10/30/2009
Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____
Contractors Signature

GENERAL CIPP 2009 – PACKAGE #2
RESOLUTION NO. 2233-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

The CONTRACTOR shall furnish all labor, materials, supplies, and equipment required to perform repairs to damaged sewer pipe throughout the city by means of Cured-in-Place Pipe (CIPP) lining as indicated in the project documents and drawings.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **General CIPP 2009 – Package #2.**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (2009 Sewer Bond).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is **$ 993,808.00**.

APPROVED THIS 22nd DAY OF July, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
Kumar Menon, Member

BY: _____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

Woodrow / Vance Partial Sewer Separation Phase 2
RESOLUTION NO. 2248-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 4,400 LF of storm sewers and 1,200 LF of water lines with all appurtenant manholes, inlets and drainage outfall structures, associated with the partial sewer separation in the vicinity of Woodrow / Vance.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Woodrow / Vance Partial Sewer Separation Phase 2.**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (SRF).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is **$1,600,000**.

APPROVED THIS 5th DAY OF August, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY:
Kumar Menon, Member

BY: John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7250-09

TILLMAN ROAD - CONCRETE STREET REPAIRS (SOUTH ANTHONY BLVD. TO HESSEN CASSEL) WORK ORDER NO. 12142

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: The contractor shall furnish all labor, insurance, equipment, materials and power for the complete performance of the following project, as follows: TILLMAN ROAD FROM SOUTH ANTHONY BLVD. TO HESSEN CASSEL; BY RECONSTRUCTION OF CONCRETE ROADWAY, I.E. PARTIAL CONCRETE PAVEMENT REPLACEMENT, FULL-DEPTH CONCRETE PAVEMENT PATCHING, PAVEMENT JOINT REPAIR; WHICH INCLUDES, INTEGRAL CURBS, CONSTRUCTION OF UNDER-DRAIN, PARTIAL DRIVE APPROACHES, CASTING ADJUSTMENT TO STORM SEWER STRUCTURES, AND HYDRO-SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 5th day of August, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Tillman Road - Concrete Street Repairs
(South Anthony Blvd. to HessenCassel)

RES. NO.: 7250-09

DATE: 7/27/2009

W.O. NO.: 12142

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization & Demobilization	1	EA	6000.00	6000.00
2.	Removal of Pavement	2623	SY	8.45	22164.35
3.	Removal of Concrete	50	SY	5.00	250.00
4.	Cement Concrete Pavement, Plain, 9" "High-Early Strength"	2512	SY	34.00	85408.00
5.	Patching, Full Depth, Plain Concrete Pavement, 12" "High-Early Strength"	111	SY	55.00	6105.00
6.	Concrete Pavement for Residential Drive (6")	25	SY	35.00	875.00
7.	Concrete Sidewalk, 4" (Undistributed)	25	SY	35.00	875.00
8.	"Special" Concrete Curb Type II-A, Includes #4. deformed reinforcement bar placed longitudinally along curb-line	870	LF	7.75	6742.50
9.	Contraction Joint, Type D-1	998	LF	9.00	8982.00
10.	1" Expansion Joint With Load Transfer	310	LF	11.00	3410.00
11.	Castings, Adjust To Grade	4	EA	200.00	800.00
12.	Casting, Type C, Furnished & Adjusted to Grade	2	EA	450.00	900.00
13.	Inlet, Type I-C "Undistributed"	1	EA	1800.00	1800.00
14.	Water Valves (Curb-Box) Adjusted to Grade (Pavement, Sidewalk, Parkstrip)	18	EA	35.00	630.00
15.	Water Valves (Valve Box) Adjusted to Grade (Pavement, Sidewalk, Parkstrip)	2	EA	75.00	150.00
16.	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	450	LF	8.50	3825.00
17.	Type "O" Compacted Aggregate for Base, No.53 (Under Pavement, Item(s) No. 4. & 5.)	650	TN	15.00	9750.00
18.	Bed Course (Drives, Walk)	5	TN	10.00	50.00
19.	Backfill Behind Curb (Borrow)	65	TN	6.50	422.50
20.	Top Soil	60	TN	15.25	915.00
21.	Hydroseeding	600	SY	2.50	1500.00
22.	Inlet Protection ("Sediguard" or equivalent)	12	EA	60.00	720.00
23.	Construction Signs, Type A With Construction Warning Light Type A	12	EA	90.00	1080.00
24.	Standard Barricade, Type III-B With Signs, Type B Construction	28	EA	200.00	5600.00
25.	Pavement Markings, Skip White, Paint, 4"	260	LF	0.70	182.00
26.	Pavement Markings, Solid Yellow, Paint, 4"	520	LF	0.70	364.00
27.	Flashing Arrow Sign	120	DY	20.00	2400.00
28.	Maintenance of Traffic	1	LS	4000.00	4000.00

SUB-TOTAL:	175900.35
E&I @16%	28144.06
TOTAL:	$204,044.41

BID

PROJECT: Tillman Road - Concrete Street Repairs
(South Anthony Blvd. to HessenCassel)

RES. NO.: 7250-09

W.O. NO.: 12142

DATE:

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization & Demobilization	1	EA		
2.	Removal of Pavement	2623	SY		
3.	Removal of Concrete	50	SY		
4.	Cement Concrete Pavement, Plain, 9" "High-Early Strength"	2512	SY		
5.	Patching, Full Depth, Plain Concrete Pavement, 12" "High-Early Strength"	111	SY		
6.	Concrete Pavement for Residential Drive (6")	25	SY		
7.	Concrete Sidewalk, 4" (Undistributed)	25	SY		
8.	"Special" Concrete Curb Type II-A, Includes #4. deformed reinforcement bar placed longitudinally along curb-line	870	LF		
9.	Contraction Joint, Type D-1	998	LF		
10.	1" Expansion Joint With Load Transfer	310	LF		
11.	Castings, Adjust To Grade	4	EA		
12.	Casting, Type C, Furnished & Adjusted to Grade	2	EA		
13.	Inlet, Type I-C "Undistributed"	1	EA		
14.	Water Valves (Curb-Box) Adjusted to Grade (Pavement, Sidewalk, Parkstrip)	18	EA		
15.	Water Valves (Valve Box) Adjusted to Grade (Pavement, Sidewalk, Parkstrip)	2	EA		
16.	Underdrain,6" Perforated Plastic, Group K Pipe (inc. #8 Aggregate Backfill)	450	LF		
17.	Type "O" Compacted Aggregate for Base, No.53 (Under Pavement, Item(s) No. 4. & 5.)	650	TN		
18.	Bed Course (Drives, Walk)	5	TN		
19.	Backfill Behind Curb (Borrow)	65	TN		
20.	Top Soil	60	TN		
21.	Hydroseeding	600	SY		
22.	Inlet Protection ("Sediguard" or equivalent)	12	EA		
23.	Construction Signs, Type A With Construction Warning Light Type A	12	EA		
24.	Standard Barricade, Type III-B With Signs, Type B Construction	28	EA		
25.	Pavement Markings, Skip White, Paint, 4"	260	LF		
26.	Pavement Markings, Solid Yellow, Paint, 4"	520	LF		
27.	Flashing Arrow Sign	120	DY		
28.	Maintenance of Traffic	1	LS		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: 12-31-09
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES,
EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND
WILL BE NOTED AT THE TIME OF OPENING.

_____
Contractors Signature

RESOLUTION NUMBER #96-8-5-09-1

A RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE, INDIANA
AMENDING THE GENERAL RULES AND REGULATIONS OF
THE FORT WAYNE WATER POLLUTION CONTROL UTILITY

WHEREAS, Chapter 51 of the Fort Wayne Code of Ordinances establishes a flat rate sewer charge for residential properties that do not have a metered water service, and

WHEREAS, said flat rate charge is set by multiplying the appropriate per unit sewer charge by the average number of units of water used by Fort Wayne City Utilities water customers; and

WHEREAS, the Board of Public Works desires to bill residential customers fairly and accurately for the amount of sewage they generate and thus wishes to provide an alternative billing method for residential customers of the Fort Wayne Water Pollution Control Utility that do not have a metered water source; and

WHEREAS, metering water from a private water source such as a well is accepted as an appropriate way to establish the amount of sewage to be generated by a residential property.

NOW THEREFORE, THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA DOES HEREBY AMEND THE GENERAL RULES AND REGULATIONS OF THE FORT WAYNE WATER POLLUTION CONTROL UTILITY AS FOLLOWS:

By replacing section 14.A.i)1) with the following language:

14. SERVICE CHARGES

A. General

i)

1) Residential – In the event the single family residential sewer customer is served by a well or otherwise does not receive water through metered service, that user shall be billed flat charges as established for in-city or out-of-city service in Chapter 51 of the Fort Wayne Code of Ordinances unless the owner requests the installation of a water meter for sewer billing purposes. Unmetered residential properties may be billed for sewer based on metered well water usage if the property owner requests that a meter be installed on their private water source (well).

When such a request is made, City Utilities may install a water meter on a well at the property according to City Utilities' specifications, and the cost of the installation, calibration and maintenance of the meter shall be the sole responsibility of the property owner. The meter shall be used for billing purposes after it has been calibrated and accepted by City Utilities. The customer shall provide access to the water meter for the purpose of billing for sewer service.

The cost for installation of a water meter on a private well for sewer billing purposes shall be $254.

Multi family dwellings shall be billed at the appropriate flat rate multiplied by the number of units accommodated. Owners of multi family dwellings may request the installation of a water meter for sewer billing purposes. A water meter installed at a multi family swelling shall be considered to be a master meter for all dwelling units on the property. A single monthly bill will be issued to the property owner for all usage registered by the meter.

The property owner shall be responsible for having all plumbing changes made as may be necessary for City Utilities to install a meter and the cost of these changes shall be the sole responsibility of the property owner. It shall be the property owner's responsibility to obtain any permits or approvals as may be legally necessary. Once installed, it shall also be the responsibility of the property owner to protect the meter from freezing or other damage.

Once a meter is installed on a well for a property for the purpose of sewer billing, the meter will remain in place and be used for sewer billing for the property regardless of any transfer of the property through sale or other means.

If the sewer user is a metered water customer of another utility, City Utilities shall bill that user according to its metered water consumption. Readings obtained by City Utilities for such purpose shall be presumed to be correct so long as readings from said meter are accepted as accurate for the water billing proposed by the utility supplying the water and the customer.

This Resolution shall become effective on September 1, 2009.

Adopted this 5th day of August, 2009.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

By: _____
Regina A. Kostoff, Chair

By: _____
Kumar Menon, Member

By: _____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7252-09

MISCELLANEOUS CONSTRUCTION PACKAGE B-2009
WORK ORDER NO. 12092

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: Districts 4, 5, & 6: Miscellaneous concrete repair for Sidewalk, Drive Approaches, and Curb with Hydroseeding restoration as needed at 710 Autumn Ridge Ln., 2833 Ridge Valley Dr., 1720 Andrew St., 902 Rudisill Blvd., 1114 Rudisill Blvd., 1130 Rudisill Blvd., 1120 Rudisill Blvd., 1024 Rudisill Blvd., 405 Rudisill Blvd., 4030 Tacoma Ave., 1221 Rudisill Blvd., 3514 Avondale Dr., 3518 Avondale Dr., 4102 Harrison St., 1614 Boone St., 929 Illsley Pl., 906 Illsley Pl., 341 Suttenfield St., 4302 Buell Dr., 3014 Oliver St., 7902 Newlin Dr., and 7721 Gathings Drive.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for SIDEWALK, DRIVE APPROACHES, and CURB WITH HYDROSEEDING RESTORATION shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for ALLEY APPROACHES shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 5th day of August, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Miscellaneous Construction Package B-2009

RES. NO.: 7252-09

W.O. NO.: 12092

DATE:7/31/09

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	651	SY	6.00	3906.00
2.	Removal of Curb	158	LF	7.50	1185.00
3.	Concrete Sidewalk (4")	565	SY	24.00	13560.00
4.	Concrete Curbface Sidewalk (4")	33	SY	28.00	924.00
5.	Concrete Pavement for Residential Drive (6")	30	SY	28.00	840.00
6.	Concrete Pavement for Commercial Drive (8")	23	SY	30.00	690.00
7.	Concrete Curb Type I-B	144	LF	15.00	2160.00
8.	Concrete Curb Type II-B	14	LF	15.00	210.00
9.	Bed Course Material	120	TN	10.00	1200.00
10.	Removal of Stump (Undistributed Quantity)	5	EA	350.00	1750.00
11.	Top Soil	75	TN	15.00	1125.00
12.	Hydroseeding with Polymer (Erosion Control)	440	SY	2.50	1100.00
13.	Construction Sign, A	40	EA	60.00	2400.00
14.	Flashing Arrow, Sign	6	EA	80.00	480.00
15.	Maintenance of Traffic	1	LS	1250.00	1250.00
16.	Mobilization / Demobilization	1	LS	1600.00	1600.00
17.				0.00	0.00

SUB-TOTAL:	34380.00
E&I @25%	8595.00
TOTAL:	**$42,975.00**

BID

PROJECT: Miscellaneous Construction Package B-2009 RES. NO.: 7252-09

DATE: W.O. NO.: 12092

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Concrete	651	SY		
2.	Removal of Curb	158	LF		
3.	Concrete Sidewalk (4")	565	SY		
4.	Concrete Curbface Sidewalk (4")	33	SY		
5.	Concrete Pavement for Residential Drive (	30	SY		
6.	Concrete Pavement for Commercial Drive	23	SY		
7.	Concrete Curb Type I-B	144	LF		
8.	Concrete Curb Type II-B	14	LF		
9.	Bed Course Material	120	TN		
10.	Removal of Stump (Undistributed Quantity)	5	EA		
11.	Top Soil	75	TN		
12.	Hydroseeding with Polymer (Erosion Control)	440	SY		
13.	Construction Sign, A	40	EA		
14.	Flashing Arrow, Sign	6	EA		
15.	Maintenance of Traffic	1	LS		
16.	Mobilization / Demobilization	1	LS		
17.					

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: OCTOBER 2ND, 2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

_____
Contractors Signature

IMPROVEMENT RESOLUTION NO. 7253-09

ON CALL ARTERIAL CONCRETE REPAIRS
WORK ORDER NO. 12150

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Various locations throughout districts 1 through 6 in the City of Fort Wayne by repairing concrete arterial roadways.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 5th day of August, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BID

PRO. ON-CALL ARTERIAL CONCRETE REPAIRS

PES NO 725609

NO NO 12150

DATE: 8-26-09

ITEM NO	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	"Special" Cement Concrete Pavement , Plain 9"-12" (High Early Mix with 1% or 2% Calcium if needed)		S.Y.		
	Note: See Special Provisions for Other Items Included In the S.Y. Price				
	Note: Minimum Of 60 S.Y. Shall Be Paid Per Call-Out Repair				
	Note: Any Incidental Construction That May Be Encountered Shall Be Paid For At Time And Materials				

TOTAL

NO WORK WILL BE GIVEN AFTER OCTOBER 30, 2009
CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: November 15,2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES,
EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND
WILL BE NOTED AT THE TIME OF OPENING.

Contractors Signature

NOTICE TO CONTRACTORS

NOTICE is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that sealed proposals will be received by the **Board of Public Works at its office in Room 420, City-County Building until 8:30 A.M. on WEDNESDAY, 8/26/09** and in the Omni Room, Room 250, City-County Building until **8:30 to 9:00 A.M.** Eastern Standard Time, on **WEDNESDAY, 8/26/09** for the following:

CONTRACT/RESOLUTION NUMBER: 7253-09
ON-CALL ARTERIAL CONCRETE REPAIRS

The contractor shall furnish all labor, insurance, equipment, materials and power for the complete performance of the following project: Various locations throughout districts 1 through 6 in the City of Fort Wayne by repairing concrete arterial roadways.

All in accordance with the Bid Documents and Drawing No. N/A Sheets N/A prepared by **TRANSPORTATION ENGINEERING SERVICES DEPARTMENT** of the City of Fort Wayne, Indiana.

No bid will be accepted from, or contract awarded to any person, firm, or corporation that is in arrears to the City of Fort Wayne, Indiana, upon any debt or contract, or, who has failed to execute, in whole or in part in a satisfactory manner, any contract with the City; or, who is a defaulter as to surety or otherwise, upon any obligation to the City of Fort Wayne, Indiana.

Bidders must obtain copy of said bid documents pursuant to submitting their bids, by paying **$50.00** for each set of bid documents, not refundable at the **Office of the Board of Public Works, Room 420, City-County Building.**

No bid may be withdrawn after the scheduled time for receipt of bids for at least one hundred twenty (120) days to allow review of bids before announcing award of contract. The successful bidder will be required to furnish a satisfactory Labor and Material Payment Bond and Performance Bond each in the amount no less than one hundred (100%) percent of the contract price.

The Board reserves the right to reject any and all bids for failure to comply with applicable laws and/or with the Instructions to Bidders. The Board also reserves the right to waive any defect in any bid.

BOARD OF PUBLIC WORKS
Regina A. Kostoff, Chair
Kumar Menon, Member
John Suarez, Member

ATTEST: Marilyn Huth, Clerk
Publish: 8/7/09 in the News Sentinel **8/12/09** in the Journal Gazette and **8/14/09** in Ink Newspaper.

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: August 3, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$86,035.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the Anthony Wayne Village/Mount Vernon Park Water Main Replacement, the St. Joe Dam Pump Station project and the Lime Sludge Pumping & Draw-Off Control Improvement – Ph. II.

Draw #255	HNTB Corp.	$16,720.00
Draw #256	Black & Veatch Corp.	16,024.00
Draw #257 & #258	City Utilities – City of Fort Wayne	53,291.00
	Total Payments	**$86,035.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

8-12-09
Date

IMPROVEMENT RESOLUTION NO. 7249-09

LEY ROAD PHASE III
WORK ORDER NO. 12146

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Ley Road from Lima Rd. to 250' West of Roma Rd. by Concrete Street Repairs and Widening.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 12th day of August, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Ley Road, Phase III (Lima Rd. to 250' West of Roma Rd.)

RES. NO.: 7249 -09

DATE: 6/30/2009

W.O. NO.: 12146

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Mobilization & Demobilization	1	EA	18000.00	18000.00
2	Removal of Pavement (includes Curb)	3710	SY	8.00	29680.00
3	Removal of Concrete	310	SY	7.00	2170.00
4	Cement Concrete Pavement, Plain, 9", 9 Bag Mix	4300	SY	32.00	137600.00
5	Concrete Pavement for Commercial Drive (8")	260	SY	30.00	7800.00
6	Common Excavation for Widening	830	CY	20.00	16600.00
7	Concrete Curb Type II-B	32	LF	8.00	256.00
8	Concrete Curb Type II-A	1150	LF	7.00	8050.00
9	Contraction Joint, Type D-1	1982	LF	12.50	24775.00
10	1" Expansion Joint With Load Transfer	110	LF	15.00	1650.00
11	Inlet, Type I-K, Furnished and Adjusted to Grade	1	EA	1500.00	1500.00
12	Castings, Adjust To Grade	5	EA	100.00	500.00
13	Pipe, R.C.P., Cl. IV, 12" (Include No. 53 Special Backfill)	56	LF	55.00	3080.00
14	Underdrain,6" Perforated Plastic, Group K Pipe (incl. #8 Aggregate Backfill)	1400	LF	8.00	11200.00
15	Type "O" Compacted Aggregate for Base, No.53	1150	TN	13.00	14950.00
16	Casting,Type E, Furnished and Adjusted to Grade	2	EA	400.00	800.00
17	Casting, Type A, Furnished and Adjusted to Grade	1	EA	375.00	375.00
18	Inlet Protection Devices for Stormwater and Erosion Control ("Sediguard" Inlet Protection Device or Approved Equal)	12	EA	20.00	240.00
19	Water Valves (Valve Box) Adjusted to Grade (Pavement, Sidewalk, Parkstrip)	5	EA	120.00	600.00
20	Construction Signs, Type A With Construction Warning Light Type A	10	EA	125.00	1250.00
21	Standard Barricade, Type III-B With Signs, Type B	8	EA	225.00	1800.00
22	Linear Grading and Shaping	660	LF	15.00	9900.00
23	Bed Course Material	40	TN	15.00	600.00
24	Top Soil	200	TN	18.00	3600.00
25	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	750	SY	2.00	1500.00
26	2" Trees (3 Sugar Maples and 3 Locusts)	6	EA	350.00	2100.00
27	Maintenance of Traffic	1	LS	14000.00	14000.00
28	Flashing Arrow Sign	70	DAYS	90.00	6300.00
29	Remove, Tree	6	EA	500.00	3000.00
30	Surface Milling, Bituminous	200	SY	1.10	220.00
31	Bituminous Surface, No. 11, HMA, 1" Inch For Approach	11	T	51.00	561.00
32	Remove Paint, Pavement Markings	1	LS	150.00	150.00
33	Line, Paint, Solid, Yellow, 4"	2010	LF	0.75	1507.50
34	Line, Paint, Broken,Yellow, 4"	400	LF	0.75	300.00

35	Line, Paint, Solid, White, 4"	1000	LF	0.75	750.00
36	Line, Paint, Broken, White, 4"	75	LF	0.75	56.25
37	Line, Paint, Solid, White, 24" Stop Bar	45	LF	3.25	146.25
38	Line, Paint, Solid, Yellow, 8"	260	LF	0.75	195.00
39	Transverse Marking, Paint, Yellow, 12"	150	LF	1.40	210.00
40	Pavement Message Marking, Paint, Word, "ONLY"	8	EA	90.00	720.00
41	Pavement Message Marking, Paint, Turn Indication Arrow	9	EA	90.00	810.00
42	Temporary Pavement Marking, Type I, Yellow, 4"	250	LF	0.10	25.00
43	Temporary Pavement Marking, Type I, White, 4"	250	LF	0.10	25.00
44	Detector Housing	3	EA	700.00	2100.00
45	Saw Slot & Sealer	590	LF	12.00	7080.00
46	1C/14 Loop Cable	1,940	LF	1.00	1940.00
47	Intercept conduit at Detector Housings	3	EA	350.00	1050.00
48	Relocate Street Light Pole with 100' of 2C/6 Cable	1	EA	1500.00	1500.00
49	Inlet, Type II-C, Furnished and Adjusted to Grade With Resilient Connector Conforming to ASTM C923	3	EA	1600.00	4800.00
50	Inlet, Type IV-E, Furnished and Adjusted to Grade With Resilient Connector Conforming to ASTM C923	1	EA	2000.00	2000.00
51	Pipe, Ductile Iron, 12"	8	LF	30.00	240.00

SUB-TOTAL:	350262.00
E&I @16%	56041.92
TOTAL:	**$406,303.92**

BID

PROJECT: Ley Road, Phase III (Lima Rd. to 250' West of Roma Rd.)

RES. NO.: 7249-09

DATE: 8-26-2009

W.O. NO.: 12146

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Mobilization & Demobilization	1	EA		
2	Removal of Pavement (includes Curb)	3710	SY		
3	Removal of Concrete	310	SY		
4	Cement Concrete Pavement, Plain, 9", 9 Bag Mix	4300	SY		
5	Concrete Pavement for Commercial Drive (8")	260	SY		
6	Common Excavation for Widening	830	CY		
7	Concrete Curb Type II-B	32	LF		
8	Concrete Curb Type II-A	1150	LF		
9	Contraction Joint, Type D-1	1982	LF		
10	1" Expansion Joint With Load Transfer	110	LF		
11	**Inlet, Type I-K, Furnished and Adjusted to Grade**	**1**	**EA**		
12	Castings, Adjust To Grade	5	EA		
13	Pipe, R.C.P., Cl. IV, 12" (Include No. 53 Special Backfill)	56	LF		
14	Underdrain,6" Perforated Plastic, Group K Pipe (incl. #8 Aggregate Backfill)	1400	LF		
15	Type "O" Compacted Aggregate for Base, No.53	1150	TN		
16	Casting,Type E, Furnished and Adjusted to Grade	2	EA		
17	**Casting, Type A, Furnished and Adjusted to Grade**	**1**	**EA**		
18	Inlet Protection Devices for Stormwater and Erosion Control ("Sediguard" Inlet Protection Device or Approved Equal)	12	EA		
19	Water Valves (Valve Box) Adjusted to Grade (Pavement, Sidewalk, Parkstrip)	5	EA		
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23	Bed Course Material	40	TN		
24	Top Soil	200	TN		
25	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	750	SY		
26	2" Trees (3 Sugar Maples and 3 Locusts)	6	EA		
27	Maintenance of Traffic	1	LS		
28	Flashing Arrow Sign	70	DAYS		
29	Remove, Tree	6	EA		
30	Surface Milling, Bituminous	200	SY		
31	Bituminous Surface, No. 11, HMA, 1" Inch For Approach	11	T		
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51	**Pipe, Ductile Iron, 12"**	8	LF		

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: November 30,2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

TOTAL: _____

_____
Contractors Signature

STREET LIGHT RESOLUTION

NUMBER 329-09

1800 - 2100 EAST WASHINGTON BLVD.

STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, hereby deems it necessary to install an underground street light systems in the **1800 - 2100 blocks of East Washington Blvd.**, in accordance with the plans and specifications on file in the office of the Board of Works of the city of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded with **CDBG (Community Development Block Grant)** Funds. All proceedings and any work done in the said lighting assessment of property and collections of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chair

John Suarez – Member

Kumar Menon -Member

ATTEST:

Marilyn Huth – Clerk

Dated this 12th day of August, 2009

RESOLUTION TO CONDUCT A FEASIBILITY STUDY

RESOLUTION # 96-8-19-09-1

WHEREAS the Planning and Policy Department for the City of Fort Wayne deems it necessary to conduct a feasibility study for grade separation between South Anthony Boulevard and the Norfolk-Southern railroad tracks in the 1500 block of South Anthony Boulevard.

THEREFORE the City of Fort Wayne will receive proposals for this project in Room 420 of the City-County Building, 1 East Main Street, Fort Wayne, IN 46802, no later than 5:00 p.m. on Friday, September 18, 2009. No late proposals will be accepted.

A pre-proposal bid conference will be held on Tuesday, August 25, 2009 at 10:00 a.m. in Room 250 (Omni Room) on the second floor of the City-County Building, 1 East Main Street, Fort Wayne, Indiana.

Proposal packages may be obtained from the Planning and Policy Department in Room 800 of the City-County Building. Proposal packets may also be obtained by email to Thomas A. Walls in the Department of Planning and Policy at 260-427-2144 or by email at *tom.walls@cityoffortwayne.org*.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

Kumar Menon, Member

John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

City of Fort Wayne

Request For Proposals

Engineering and Fiscal Feasibility Study:

Grade Separation of the Norfolk-Southern Railroad Tracks

At South Anthony Boulevard Near Wayne Trace

August 14, 2009

City of Fort Wayne
Dept. Of Planning and Policy

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City of Fort Wayne
Anthony Boulevard/Norfolk-Southern
Grade Separation Feasibility Study Area - 2009

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Request For Proposals

Engineering and Fiscal Feasibility Study

For Grade Separation of the Norfolk-Southern Railroad Tracks

At Anthony Boulevard Near Wayne Trace

PURPOSE

The City of Fort Wayne is seeking proposals to conduct a feasibility study for the grade separation of South Anthony Boulevard and the Norfolk-Southern Railroad tracks immediately north of Wayne Trace. The tracks separate the 1500 and 1600 blocks of South Anthony Boulevard. The crossing is currently a signalized at-grade crossing, with two north-south traffic lanes and two east-west rail lines.

The feasibility study must address:

- The engineering requirements for safe passage of rail, vehicular, and non-motorized pedestrian and bicycle traffic through the intersection.
- The best overall method for separating the grades in accordance with the objectives listed elsewhere in this RFP.
- Consideration of alternatives and a final design recommendation.
- The costs for building the grade separation being recommended.
- Environmental issues to be resolved.
- Related utility offsets and/or new infrastructure required.
- Necessity and cost of obtaining right-of-way for the project.

INTRODUCTION AND BACKGROUND

The proposed feasibility study is intended to answer multiple questions that must be addressed in order to fulfill the objectives stated in this Request For Proposals and to set the stage for future area development. This may include new development up to and including the return of passenger rail travel to this rail line.

Fort Wayne is the second largest city in the State of Indiana, with a current population (2007) estimated at 251,247 by the U.S. Census Bureau. Anthony Boulevard is the major north-south arterial street on the east side of Fort Wayne. It runs from Coliseum Boulevard southward to the City limits in the 8500 block of South Anthony Boulevard

The street is 7.4 miles long. Of this total length, 5.2 miles is designated as South Anthony Boulevard, which extends from the Maumee River (Niagara Drive) southward by approximately 2,000 feet beyond the Southtown Centre development.

Different segments of the street carry varying traffic volumes, ranging from 3,300 vehicles per day near the south City limits to 15,800 vehicles per day in the vicinity of North Anthony Boulevard and Crescent Avenue. The proposed feasibility study has multiple key elements that must be considered.

Vehicular Traffic Congestion

The Federal Railroad Administration identifies the rail crossing involved as crossing number 478226J. In 2006, the most recent year for which the FRA has data, there were 35 trains per day passing through the intersection at speeds typically listed at 55 to 60 miles per hour. In the vicinity of these same Norfolk-Southern tracks, South Anthony Boulevard carries approximately 13,000 to 14,000 vehicles per day. Due to signalization, train-vehicular accidents are rare, but vehicular congestion and long stacking of traffic lanes north and south is common. In some cases, the northbound lines of waiting vehicles extend southward beyond the intersection of Wayne Trace, which carries approximately 7,100 vehicles per day in this vicinity. The Wayne Trace intersection lies approximately 275 feet south of the railroad crossing.

Southeast Area Development Strategy Priorities

This rail crossing came under consideration as part of the City's 2006-2007 Southeast Area Development Strategy. An extensive public input process was a key element in the development of the Strategy, whose Strategic Development Map and Land Use Policies were adopted as an amendment to the City's Comprehensive Plan. (Ordinance G-18-07, passed 7-10-07) During development of the Strategy, strong public concern was voiced over the need to "open" South Anthony Boulevard in order to facilitate travel and commerce for Southeast residents. Residents described a feeling of being cut off from much of the City, including easy downtown access, by the at-grade rail crossing and its frequent closures for train traffic.

Regional Transportation Plan Priorities

These resident concerns echo the priorities of the 2030 Transportation Plan, which is updated regularly by the regionally-designated metropolitan planning organization or MPO, which is called the Northeast Indiana Regional Coordinating Council, or NIRCC. While the 2030 Plan primarily places the funding of projects in the budgetary processes of participating local government bodies, the Plan does provide a roadmap for future transportation infrastructure improvements that are coordinated, inter-related, and feed strategic goals. NIRCC uses an ongoing process of review and analysis in periodically updating the 2030 Transportation Plan. The current 2030 Plan, most recently revised in 2009, has two railroad grade separation projects prioritized – one of which is the South Anthony/Norfolk-Southern railroad crossing. This crossing has a high priority for implementation, currently being cited in the 2030 plan as a project for the period from 2010 to 2020. Initial discussions have already occurred among City and County staff on the potential implementation scenarios for the actual separation itself following a feasibility study.

Anthony Boulevard Corridor Upgrade Context

City staff are now working on upgrade proposals to Anthony Boulevard that include developing parts of the street in accordance with the design principles of the City's 1911 Parks and Boulevard Plan developed with community support by well-known landscape architect George Kessler. The initiative is being pursued as part of upgrade planning in and around the City's Renaissance Pointe development, which lies south of the railroad crossing to be studied. The initial design principals for Anthony Boulevard in the Renaissance Pointe vicinity call for landscaped widening of the roadway, improved citywide travel connectivity points, and both bicycle and pedestrian treatments. These features will need to be integrated into other Anthony Boulevard upgrades such as any nearby rail crossing improvements.

Future Passenger Rail considerations

The City of Fort Wayne, as part of its emerging multi-modal transportation policies, supports current local and regional efforts to restore passenger rail service to Fort Wayne. If implemented, such Amtrak-based service will come within Federal frameworks for new high speed passenger rail priorities by the Obama Administration. The Obama Administration has prioritized high speed passenger rail travel in both the American Revitalization and Recovery Act (ARRA) and future Federal budgets. The Indiana Department of Transportation (INDOT) has filed required pre-application documents for Federal passenger rail assistance under the ARRA. The multiple INDOT requests specifically include funds to conduct a final Environmental Impact Study (EIS) on a proposed Fort Wayne passenger rail line proposed under a 2002 regional rail study. If selected, the proposed passenger rail line, connecting Chicago with Cleveland and points east, has a high probability of running on the tracks of this crossing under shared agreements with Norfolk-Southern Railroad. Proposed improvements would need to accommodate the presence of both freight and relatively high speed passenger trains.

Environmental Assessment Requirements

As part of the proposed feasibility study, the successful candidate will work with the City's Brownfield Manager in evaluating the affected areas for potential environmental contamination and developing the best remedial alternatives to address any identified concern. Funding to conduct a NEPA-compliant Phase I Site Investigation will be available up to $20,000 through the City of Fort Wayne Brownfield Assistance Program.

CHARACTERISTICS OF PROJECT AREA

South Anthony Boulevard, including the rail crossing addressed in this RFP, lies entirely within the City of Fort Wayne's Southeast Quadrant. As of 2004, the estimated population of this Quadrant was about 49,878 people according to the City's GIS Planning staff's calculations.

Southeast Fort Wayne has a highly diverse population in terms of race, economic status, age and other factors. Land uses are also highly varied, and Norfolk-Southern tracks traverse this highly varied urban landscape. There are a number of industrial land parcels, especially along the original 19th century rail corridors. However, a 2007 land use analysis revealed that industrial land accounts for less than 2% of the area's land parcels.

The chart on the next page summarizes the land uses in the southeast Fort Wayne quadrant traversed by both Anthony Boulevard and the Norfolk-Southern railroad tracks. It can be seen from the chart that despite a few industrial land parcels, as well as a strong commercial presence Southeast --- especially along major corridors like Anthony Boulevard --- the vast majority of area property, over 87%, is residential in use. The area's vacancy rates and under-utilization of some area land parcels have both been contributing factors in the ongoing concern by area residents for enhanced connectivity and area economic and housing development.

Southeast Fort Wayne: 2007 Land Use Summary	Parcels	Percent of all Southeast Land Parcels	*Identified as Vacant*	*Percent Vacant By Type*
Agricultural	40	0.2%	*37*	92.5%
Commercial	1,001	5.4%	*190*	19.0%
Exempt-Gov't/Non profit	1,021	5.5%	*0*	0.0%
Industrial	222	1.2%	*57*	25.7%
Residential	16,260	87.6%	*2,332*	14.3%
Utility-owned	21	0.1%	*2*	9.5%
Unlisted Type	2	0.0%	*0*	0.0%
Totals	**18,567**	100.0%	***2,618***	14.1%

Despite the vitality shown by its residents through their participation in recent City efforts, the southeast area of Fort Wayne has seen significant commercial disinvestment over a period of several decades that has paralleled significant residential housing decline and abandonment. However, in recent years, there has been significant re-investment in key areas, largely through City-subsidized and other public-private partnerships.

The City's largest residential reinvestment and renewal initiative, Renaissance Pointe, lies only about 1,500 feet south of the rail crossing. Significant public and private investments have been made within this area. Anthony Boulevard is the predominant gateway that impacts the Renaissance Pointe project. As noted previously, improvements are slated for Anthony that coincide with the design principals in the George Kessler Plan. Therefore, it is important to consider Kessler's design principles in the design of the grade separation.

OBJECTIVES

The purposes for any grade separation at this site are specific. They include the need:

1. To reduce congestion at the Norfolk-Southern railroad crossing to foster South Anthony Boulevard's economic growth.
2. To identify the best crossing changes to improve safety and remove collision hazards at a high volume railroad crossing.
3. To enhance community connectivity and increase property values for residents of southeast Fort Wayne in accordance with the Southeast Area Development Strategy.
4. To lay the groundwork for long-term Norfolk-Southern partnerships and potential future passenger rail transportation to and through the City of Fort Wayne.

The City's RFP makes two assumptions.

- The first assumption is that the successful candidate will work with the City's Brownfield manager in testing the subsurface of the area for hazards and the costs to abate them. Partnered use of City funds is presumed. This includes areas around the tracks as well as current and former industrial sites nearby.

- The second assumption is that the feasibility study will indicate a roadway passage beneath the rail lines and not over them, but the alternative is not excluded. Initial review by City Engineering staff indicates the need for a below-grade roadway extending 1,100 to 1,200 feet along Anthony Boulevard beneath the railroad tracks.

The feasibility study should at a minimum provide recommendations that address the following:

1. Determine if Anthony Boulevard should run under the railroad or over it.
2. Determine if Anthony Boulevard can remain at two or more lanes through the vicinity and if it should remain within its current right-of-way.
3. Determine the best placement of bicycle and pedestrian accommodation.
4. Determine the type of buttressing and/or protection needed to allow currently used adjacent buildings to remain.
5. Determine the number, type, age, and size of all utility infrastructure in the area that must be relocated, rebuilt, or replaced; identify any new infrastructure required.
6. Determine the requirements for keeping Wayne Trace open to travel.
7. Determine the best methods for accommodating uninterrupted train traffic during future grade separation construction; railroad partnership is presumed.
8. Determine the extent and cost of right-of-way acquisition.
9. Determine the best vehicular and non-motorized detour route(s) that may be needed and the cost to adjust current traffic flow.
10. Identify environmental hazards and the costs of abatement in the area of the grade separation, including underground storage tanks, surface and subsurface contaminants, etc.
11. Provide an itemized budget and line item narrative for project implementation of the grade separation.
12. Propose a public input plan for comment and provide a public presentation of the study in partnership with the Division of Community Development, City Engineering, and the City's Public Information Office.

CONSULTANT QUALIFICATIONS

The selected consultant will need to have extensive experience in key areas for the project to succeed.

Please describe the following:

1. Your experience working with grade separation transportation projects, including feasibility study and implementation of projects. Your experience with and knowledge of major railroad operations and practices.
2. Your experience in the identification and abatement of environmentally hazardous sites.
3. Your experience in fulfilling Federal NEPA requirements for large construction projects.

4. Your experience in working with bikeway, bike lane, and pedestrian circulation infrastructure, especially as they apply to railroad grade separations.
5. Your experience and methods used in identifying, soliciting, and obtaining meaningful input from stakeholder groups.
6. Your firm's Civil Engineering/Transportation Planning/Environmental experience.
7. Identification and qualifications of specific key staff who will conduct the study.
8. Experience in developing line item budgets for design and implementation projects.

It is the intention of the City of Fort Wayne to contract for this feasibility study before the end of 2009. Should you be selected as the contractor, please identify your availability to

- Begin contract negotiations and
- Your timeline for completing the feasibility study.

EVALUATION CRITERIA

Several criteria will be closely evaluated, including, but not limited to the following:

- Understanding of the scope and context of the project
- Urban transportation, design and engineering experience
- Demonstration of ability to work with diverse stakeholders, including railroads, neighborhoods, and professional staff from multiple government jurisdictions.
- Overall approach to the project and process
- Public involvement and community input approach
- Experience with similar projects
- Proposed team staffing
- Schedule and time frame
- References

PROJECTED CONTRACTING SCHEDULE

Request for Proposals Issued	August 14, 2009
Pre-Bid Conference	August, 25, 2009
Proposals Due	September 18, 2009
Schedule interviews with consultants	September, 2009
Conduct interviews with consultants	October 1-15, 2009
Select consultant	October, 2009
Prepare, negotiate and enter into contract for services	November, 2009

CONCLUSION

This railroad crossing is at the core of multiple community and statewide needs. The City of Fort Wayne places a high priority on obtaining a quality feasibility study at this railroad intersection that is both comprehensive and timely. Multiple City priorities, as well as new Federal funding opportunities and potential local match resources for actual construction, make this the correct time to pursue this effort.

PROPOSALS MUST BE RECEIVED BY 5:00 P.M. FRIDAY, SEPTEMBER 18, 2009 AT:

Fort Wayne Board of Works
Attention: Marilyn Huth, Clerk of the Board of Works
Room 420 City-County Building
Fort Wayne, IN 46802
260-427-6956
marilyn.huth@cityoffortwayne.org

Additional electronic filing with hard copy is encouraged.

FOR FURTHER INFORMATION OR TO REQUEST A PROPOSAL BY EMAIL CONTACT:

Thomas A. Walls, MPA
Dept. of Planning and Policy
City of Fort Wayne
Room 800 City-County Building
Fort Wayne, IN 46802
260-427-2144
tom.walls@cityoffortwayne.org

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RESOLUTION # 96-8-19-09-1

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City of Fort Wayne

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August 14, 2009

City of Fort Wayne
Dept. Of Planning and Policy

City of Fort Wayne
Anthony Boulevard/Norfolk-Southern
Grade Separation Feasibility Study Area - 2009

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Feet

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These resident concerns echo the priorities of the 2030 Transportation Plan, which is updated regularly by the regionally-designated metropolitan planning organization or MPO, which is called the Northeast Indiana Regional Coordinating Council, or NIRCC. While the 2030 Plan primarily places the funding of projects in the budgetary processes of participating local government bodies, the Plan does provide a roadmap for future transportation infrastructure improvements that are coordinated, inter-related, and feed strategic goals. NIRCC uses an ongoing process of review and analysis in periodically updating the 2030 Transportation Plan. The current 2030 Plan, most recently revised in 2009, has two railroad grade separation projects prioritized – one of which is the South Anthony/Norfolk-Southern railroad crossing. This crossing has a high priority for implementation, currently being cited in the 2030 plan as a project for the period from 2010 to 2020. Initial discussions have already occurred among City and County staff on the potential implementation scenarios for the actual separation itself following a feasibility study.

Anthony Boulevard Corridor Upgrade Context

City staff are now working on upgrade proposals to Anthony Boulevard that include developing parts of the street in accordance with the design principles of the City's 1911 Parks and Boulevard Plan developed with community support by well-known landscape architect George Kessler. The initiative is being pursued as part of upgrade planning in and around the City's Renaissance Pointe development, which lies south of the railroad crossing to be studied. The initial design principals for Anthony Boulevard in the Renaissance Pointe vicinity call for landscaped widening of the roadway, improved citywide travel connectivity points, and both bicycle and pedestrian treatments. These features will need to be integrated into other Anthony Boulevard upgrades such as any nearby rail crossing improvements.

Future Passenger Rail considerations

The City of Fort Wayne, as part of its emerging multi-modal transportation policies, supports current local and regional efforts to restore passenger rail service to Fort Wayne. If implemented, such Amtrak-based service will come within Federal frameworks for new high speed passenger rail priorities by the Obama Administration. The Obama Administration has prioritized high speed passenger rail travel in both the American Revitalization and Recovery Act (ARRA) and future Federal budgets. The Indiana Department of Transportation (INDOT) has filed required pre-application documents for Federal passenger rail assistance under the ARRA. The multiple INDOT requests specifically include funds to conduct a final Environmental Impact Study (EIS) on a proposed Fort Wayne passenger rail line proposed under a 2002 regional rail study. If selected, the proposed passenger rail line, connecting Chicago with Cleveland and points east, has a high probability of running on the tracks of this crossing under shared agreements with Norfolk-Southern Railroad. Proposed improvements would need to accommodate the presence of both freight and relatively high speed passenger trains.

Environmental Assessment Requirements

As part of the proposed feasibility study, the successful candidate will work with the City's Brownfield Manager in evaluating the affected areas for potential environmental contamination and developing the best remedial alternatives to address any identified concern. Funding to conduct a NEPA-compliant Phase I Site Investigation will be available up to $20,000 through the City of Fort Wayne Brownfield Assistance Program.

CHARACTERISTICS OF PROJECT AREA

South Anthony Boulevard, including the rail crossing addressed in this RFP, lies entirely within the City of Fort Wayne's Southeast Quadrant. As of 2004, the estimated population of this Quadrant was about 49,878 people according to the City's GIS Planning staff's calculations.

Southeast Fort Wayne has a highly diverse population in terms of race, economic status, age and other factors. Land uses are also highly varied, and Norfolk-Southern tracks traverse this highly varied urban landscape. There are a number of industrial land parcels, especially along the original 19th century rail corridors. However, a 2007 land use analysis revealed that industrial land accounts for less than 2% of the area's land parcels.

The chart on the next page summarizes the land uses in the southeast Fort Wayne quadrant traversed by both Anthony Boulevard and the Norfolk-Southern railroad tracks. It can be seen from the chart that despite a few industrial land parcels, as well as a strong commercial presence Southeast --- especially along major corridors like Anthony Boulevard --- the vast majority of area property, over 87%, is residential in use. The area's vacancy rates and under-utilization of some area land parcels have both been contributing factors in the ongoing concern by area residents for enhanced connectivity and area economic and housing development.

Southeast Fort Wayne: 2007 Land Use Summary	Parcels	Percent of all Southeast Land Parcels	*Identified as Vacant*	*Percent Vacant By Type*
Agricultural	40	0.2%	*37*	92.5%
Commercial	1,001	5.4%	*190*	19.0%
Exempt-Gov't/Non profit	1,021	5.5%	*0*	0.0%
Industrial	222	1.2%	*57*	25.7%
Residential	16,260	87.6%	*2,332*	14.3%
Utility-owned	21	0.1%	*2*	9.5%
Unlisted Type	2	0.0%	*0*	0.0%
Totals	**18,567**	100.0%	***2,618***	14.1%

Despite the vitality shown by its residents through their participation in recent City efforts, the southeast area of Fort Wayne has seen significant commercial disinvestment over a period of several decades that has paralleled significant residential housing decline and abandonment. However, in recent years, there has been significant re-investment in key areas, largely through City-subsidized and other public-private partnerships.

The City's largest residential reinvestment and renewal initiative, Renaissance Pointe, lies only about 1,500 feet south of the rail crossing. Significant public and private investments have been made within this area. Anthony Boulevard is the predominant gateway that impacts the Renaissance Pointe project. As noted previously, improvements are slated for Anthony that coincide with the design principals in the George Kessler Plan. Therefore, it is important to consider Kessler's design principles in the design of the grade separation.

OBJECTIVES

The purposes for any grade separation at this site are specific. They include the need:

1. To reduce congestion at the Norfolk-Southern railroad crossing to foster South Anthony Boulevard's economic growth.
2. To identify the best crossing changes to improve safety and remove collision hazards at a high volume railroad crossing.
3. To enhance community connectivity and increase property values for residents of southeast Fort Wayne in accordance with the Southeast Area Development Strategy.
4. To lay the groundwork for long-term Norfolk-Southern partnerships and potential future passenger rail transportation to and through the City of Fort Wayne.

The City's RFP makes two assumptions.

- The first assumption is that the successful candidate will work with the City's Brownfield manager in testing the subsurface of the area for hazards and the costs to abate them. Partnered use of City funds is presumed. This includes areas around the tracks as well as current and former industrial sites nearby.

- The second assumption is that the feasibility study will indicate a roadway passage beneath the rail lines and not over them, but the alternative is not excluded. Initial review by City Engineering staff indicates the need for a below-grade roadway extending 1,100 to 1,200 feet along Anthony Boulevard beneath the railroad tracks.

The feasibility study should at a minimum provide recommendations that address the following:

1. Determine if Anthony Boulevard should run under the railroad or over it.
2. Determine if Anthony Boulevard can remain at two or more lanes through the vicinity and if it should remain within its current right-of-way.
3. Determine the best placement of bicycle and pedestrian accommodation.
4. Determine the type of buttressing and/or protection needed to allow currently used adjacent buildings to remain.
5. Determine the number, type, age, and size of all utility infrastructure in the area that must be relocated, rebuilt, or replaced; identify any new infrastructure required.
6. Determine the requirements for keeping Wayne Trace open to travel.
7. Determine the best methods for accommodating uninterrupted train traffic during future grade separation construction; railroad partnership is presumed.
8. Determine the extent and cost of right-of-way acquisition.
9. Determine the best vehicular and non-motorized detour route(s) that may be needed and the cost to adjust current traffic flow.
10. Identify environmental hazards and the costs of abatement in the area of the grade separation, including underground storage tanks, surface and subsurface contaminants, etc.
11. Provide an itemized budget and line item narrative for project implementation of the grade separation.
12. Propose a public input plan for comment and provide a public presentation of the study in partnership with the Division of Community Development, City Engineering, and the City's Public Information Office.

CONSULTANT QUALIFICATIONS

The selected consultant will need to have extensive experience in key areas for the project to succeed.

Please describe the following:

1. Your experience working with grade separation transportation projects, including feasibility study and implementation of projects. Your experience with and knowledge of major railroad operations and practices.
2. Your experience in the identification and abatement of environmentally hazardous sites.
3. Your experience in fulfilling Federal NEPA requirements for large construction projects.

4. Your experience in working with bikeway, bike lane, and pedestrian circulation infrastructure, especially as they apply to railroad grade separations.
5. Your experience and methods used in identifying, soliciting, and obtaining meaningful input from stakeholder groups.
6. Your firm's Civil Engineering/Transportation Planning/Environmental experience.
7. Identification and qualifications of specific key staff who will conduct the study.
8. Experience in developing line item budgets for design and implementation projects.

It is the intention of the City of Fort Wayne to contract for this feasibility study before the end of 2009. Should you be selected as the contractor, please identify your availability to

- Begin contract negotiations and
- Your timeline for completing the feasibility study.

EVALUATION CRITERIA

Several criteria will be closely evaluated, including, but not limited to the following:

- Understanding of the scope and context of the project
- Urban transportation, design and engineering experience
- Demonstration of ability to work with diverse stakeholders, including railroads, neighborhoods, and professional staff from multiple government jurisdictions.
- Overall approach to the project and process
- Public involvement and community input approach
- Experience with similar projects
- Proposed team staffing
- Schedule and time frame
- References

PROJECTED CONTRACTING SCHEDULE

Request for Proposals Issued	August 14, 2009
Pre-Bid Conference	August, 25, 2009
Proposals Due	September 18, 2009
Schedule interviews with consultants	September, 2009
Conduct interviews with consultants	October 1-15, 2009
Select consultant	October, 2009
Prepare, negotiate and enter into contract for services	November, 2009

CONCLUSION

This railroad crossing is at the core of multiple community and statewide needs. The City of Fort Wayne places a high priority on obtaining a quality feasibility study at this railroad intersection that is both comprehensive and timely. Multiple City priorities, as well as new Federal funding opportunities and potential local match resources for actual construction, make this the correct time to pursue this effort.

PROPOSALS MUST BE RECEIVED BY 5:00 P.M. FRIDAY, SEPTEMBER 18, 2009 AT:

Fort Wayne Board of Works
Attention: Marilyn Huth, Clerk of the Board of Works
Room 420 City-County Building
Fort Wayne, IN 46802
260-427-6956
marilyn.huth@cityoffortwayne.org

Additional electronic filing with hard copy is encouraged.

FOR FURTHER INFORMATION OR TO REQUEST A PROPOSAL BY EMAIL CONTACT:

Thomas A. Walls, MPA
Dept. of Planning and Policy
City of Fort Wayne
Room 800 City-County Building
Fort Wayne, IN 46802
260-427-2144
tom.walls@cityoffortwayne.org

SR 1(Martin Ditch to Tonkel Road) –
WATER MAIN REPLACEMENT

RESOLUTION NO. 2108-2008

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 450 LF of 12-inch, 220 LF of 8-inch (includes SR 1 crossings) 2,400 LF of 16-inch and all other appurtenances as necessary for the water main replacement project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "SR 1 Utility Relocation Improvements".

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is **$685,000.00**

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 19th DAY OF August, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

Washington / Webster Partial Sewer Separation
RESOLUTION NO. 2253-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 1,000 LF of storm sewers (12"-36") and 500 LF of sanitary sewers (8"-12") with all appurtenant manholes, inlets and drainage outfall structures, associated with the partial sewer separation in the vicinity of Washington & Webster.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **Washington / Webster Partial Sewer Separation.**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is **$300,000**.

APPROVED THIS 19th DAY OF August, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
Kumar Menon, Member

BY: _____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7254-09

PUBLIC SIDEWALK CURB RAMP PACKAGE A-2009
WORK ORDER NO. 12102

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: THE FOLLOWING INTERSECTIONS WITH ADA CONCRETE WINGWALKS & RAMPS:

1ST District:
Millwrights Ct. and Bachester
White Eagle D. & Bear Paw Dr.
Great Bear & Bear Paw Dr.
Berkley Av. & Camelot Dr.
Corby Dr. & Camelot Dr.
Berkley Av. & State Blvd.
Berkley Av & Eastwick Dr.
Eastwick Dr. & Corby Dr.
Brian Dr. & Finchley Ct.
Willshire Estates Dr. & Trier Rd.
Forest Glen Ct. & Lake Forest Dr.
Mowhawa Dr. & Omee Ct.
East State Blvd. & Georgetown Lane

2nd District:
Delaware Av. & Kentucky Av.
Kentucky Av. & Tennessee Av.
Kentucky Av. & Vermont Av.
Kentucky Av. & Sallie Av.
Kentucky Av. & Nevada Av.
Stadium Dr. & Pleasant Av.
Wallen Road & Auburn Road

3rd District:
Millstone Village Neighborhood:
1020 Woodland Springs Place
8621 Willow Hill Run
Common walkway across from 8613 Willow Hill Run
Corner of Willow Run & Heartland Drive
8119 Medallian Place
Common walkway @ 8106 Medallian Place
Corner of Silver Springs Court & Silver Springs Run
8023 Silver Springs Place
Common Walkway across from 8325 McMan Place
Corner of Polo Run & Wyckford Place (3 corners)
Corner of Wyckford Place & Foxmoor Run
Corner of McMan Place & Polo Run (2 corners)
1126 Medallion Place & Common Walk

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 19th day of August, 2009

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Public Sidewalk Curb Ramp A-2009

RES. NO.: 7254-09

W.O. NO.: 12102

DATE: 8/14/09

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete / Includes Sidewalk, Wingwalk, Curbface & Pavement	1530	SY	5.00	7650.00
2	Removal of Curb	680	LF	5.00	3400.00
3	Concrete Curb Type I-B , Type II-B or Type III	680	LF	14.00	9520.00
4	Concrete Curb Back of Sidewalk	160	LF	15.00	2400.00
5	Concrete Wingwalk And Curb Ramps	750	SY	34.00	25500.00
6	Concrete Sidewalk (4")	756	SY	21.00	15876.00
7	ADA Solutions or Armor-Tile,Approved Equal Replaceable 2x4 Composit Wetset Tactile Warning Surface Units (Brick Red in Color)	90	EA	200.00	18000.00
8	Cement Concrete Pavement Plain, 9" (Includes Type I - A Curb & "J" Bolts)	110	SY	28.00	3080.00
9	Compacted aggregate for base "O" - #53	20	TON	15.00	300.00
10	Adjust Casting To Grade	6	EA	150.00	900.00
11	Furnish and Adjust Casting Type " C "	8	EA	450.00	3600.00
12	Water Valves Adjusted To Grade	8	EA	40.00	320.00
13	Bed Course Material	220	TON	15.00	3300.00
14	Top Soil	180	TON	15.00	2700.00
15	Hydroseeding With Polymer (Erosion Control)	810	SY	2.00	1620.00
16	Construction Signs Type "A"	20	EA	50.00	1000.00
17	Flashing Arrow Board	5	DAYS	40.00	200.00
18	Maintenance of Traffic	1	LS	2500.00	2500.00
19	Mobilization and Demobilization	1	LS	2000.00	2000.00

SUB-TOTAL:	103866.00
E&I @20%	20773.20
TOTAL:	**$124,639.20**

EMERGENCY RESOLUTION NUMBER_96-8-26-09-1
BARR AND DUCK STREET

WHEREAS, an existing 42" Brick combination sewer line needs to be repaired and two manholes need to be placed, on Barr and Duck street,

WHEREAS, said repair and replacement could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 42" Brick combination sewer line is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, AllStar Const., API, and Geiger Developing, were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 26th day of August ,2009.

BOARD OF PUBLIC WORKS

By _____
Regina Kostoff, Chair

By _____
Kumar Menon, Member

By _____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

BARR AND DUCK STREET
COMBINATION SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

Place all new pipe and structures as noted. Remove existing pipe and structures as noted. Class III RCP pipe is to be used. The structure over the existing 42" on Barr Street shall be placed first. Structures are to be 72" in diameter, unless noted otherwise. Barr and Duck structures to have double openings. This repair shall include any and/or all costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to excavate and remove materials from the jobsite, sheeting, trench stabilization, any required bypass pumping and/or trench dewatering, removal and replacement of any and all incoming pipes to the new manholes. Remove and replace existing Storm sewer, including all inlets, catch basins. Use proper backfilling and compaction, and all surface restoration necessary to restore the disturbed area to the existing condition or better. These repairs shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone. The soil in the working area is contaminated soil. Handling of and disposal of contaminated soil shall be done as per safety specs to be issued prior to start of construction. Dewatering liquid may be pumped to the structure on Barr and Superior, during dry weather, during wet weather dewatering pumps are to be shut off.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual
2. Payment Bond
3. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
4. Contractor shall be required and responsible for placing and maintaining temporary barricades.
5. Contractor needs to comply with all E.B.E. requirements through City of Fort Wayne Compliance Office.
6. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
7. Contractor shall be responsible to protect, replace, and or repair all existing utilities in the emergency repair site.
8. Contractor is to submit Monthly Report and Manpower Summary to the City Compliance Office, Room #420.
9. Contractor shall be required to obtain and adhere to any and all required permits, including a right of way cut permit and a street barricade permit.
10. Performance Bond

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary. Should temporary removal or relocation be

necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition, at no extra cost. Sign shop will remove/ replace street / traffic signs. Street light operations will remove / replace city light posts.

EMERGENCY RESOLUTION NUMBER_96-8-26-09-1
BARR AND DUCK STREET

WHEREAS, an existing 42" Brick combination sewer line needs to be repaired and two manholes need to be placed, on Barr and Duck street,

WHEREAS, said repair and replacement could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the 42" Brick combination sewer line is beyond the capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, AllStar Const., API, and Geiger Developing, were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repairs could exceed Twenty Five Thousand Dollars and Zero Cents, ($25,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue and **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 26th day of August ,2009.

BOARD OF PUBLIC WORKS

By Regina A. Kostoff
Regina Kostoff, Chair

By
Kumar Menon, Member

By John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BARR AND DUCK STREET
COMBINATION SEWER EMERGENCY REPAIR SPECIFICATIONS

SCOPE OF WORK:

This emergency repair shall consist of the following bid:

ITEM NO. 1

Place all new pipe and structures as noted. Remove existing pipe and structures as noted. Class III RCP pipe is to be used. The structure over the existing 42" on Barr Street shall be placed first. Structures are to be 72" in diameter, unless noted otherwise. Barr and Duck structures to have double openings. This repair shall include any and/or all costs to complete all work necessary for, but not limited to, supervision, labor, equipment and materials necessary to excavate and remove materials from the jobsite, sheeting, trench stabilization, any required bypass pumping and/or trench dewatering, removal and replacement of any and all incoming pipes to the new manholes. Remove and replace existing Storm sewer, including all inlets, catch basins. Use proper backfilling and compaction, and all surface restoration necessary to restore the disturbed area to the existing condition or better. These repairs shall also include the costs, if required, to relocate temporarily and or permanently any and all utilities in the construction zone. The soil in the working area is contaminated soil. Handling of and disposal of contaminated soil shall be done as per safety specs to be issued prior to start of construction. Dewatering liquid may be pumped to the structure on Barr and Superior, during dry weather, during wet weather dewatering pumps are to be shut off.

CONDITIONS OF WORK:

The contractor awarded the emergency repairs shall be required to provide and comply with the following items:

1. City of Fort Wayne Department of Water Resources, Development Criteria/Standards Manual
2. Payment Bond
3. Contractor shall be responsible for and shall be required to comply with all Local, State and Federal Regulations regarding safety procedures, O.S.H.A. requirements and in particular open construction trench protection and confined space entry.
4. Contractor shall be required and responsible for placing and maintaining temporary barricades.
5. Contractor needs to comply with all E.B.E. requirements through City of Fort Wayne Compliance Office.
6. Contractor shall be responsible for dealing with whatever ground condition exists at the time of construction.
7. Contractor shall be responsible to protect, replace, and or repair all existing utilities in the emergency repair site.
8. Contractor is to submit Monthly Report and Manpower Summary to the City Compliance Office, Room #420.
9. Contractor shall be required to obtain and adhere to any and all required permits, including a right of way cut permit and a street barricade permit.
10. Performance Bond

The Contractor is responsible to determine if the temporary removal, relocation, support or bracing of existing items, such as street and traffic signs, power poles, posts, fences, rock gardens, light posts, shrubs, bushes, guard rail, etc., is necessary. Should temporary removal or relocation be

necessary, the Contractor shall be responsible to replace or reinstall said items at their original location or at locations designated by the property owners and the Contractor shall restore them to their original or better condition, at no extra cost. Sign shop will remove/ replace street / traffic signs. Street light operations will remove / replace city light posts.

IMPROVEMENT RESOLUTION NO. 7255-09

ELZEY STREET / MAPLEWOOD ROAD CONCRETE STREET REPAIRS
WORK ORDER NO. 12117

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: : ELZEY STREET & MAPLEWOOD ROAD CONCRETE STREET REPAIRS; ELZY ST. (McArthur Drive north to 6906) AND MAPLEWOOD ROAD (At the intersection of Worth Drive) BY RECONSTRUCTION OF THE ROADWAY, I.E. PARTIAL CONCRETE PAVEMENT REPLACEMENT; WHICH INCLUDES INTREGAL CURBS, CONCRETE CORNER WALK AND RAMPS, CONCRETE DRIVE APPROACH REPLACEMENT, CASTING REPLACEMENT FOR STORM STRUCTURES, AND HYDRO-SEED RESTORATION.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 26th day of August, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: ELZEY ST. / MAPLEWOOD RD. CONCRETE STREET REPAIRS

RES. NO.: 7255-09

DATE: 8/19/2009

W.O. NO.: 12117

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	2000.00	2000.00
2.	Removal of Pavement	2148	SY	5.50	11814.00
3.	Removal of Concrete	205	SY	5.00	1025.00
4.	Cement Concrete Pavement, Plain, High-Early (HES) 5000 psi	2148	SY	28.00	60144.00
5.	Concrete Pavement for Residential Drives (6")	180	SY	23.00	4140.00
6.	Concrete Wingwalk and Ramps (6")	40	SY	33.00	1320.00
7.	ADA Solutions, Armor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	2	EA	245.00	490.00
8.	Type "O" compacted Aggregate for Base No. 53	540	TN	12.50	6750.00
9.	Bedcourse Material	30	TN	11.25	337.50
10.	Backfill Behind Curb	65	TN	5.00	325.00
11.	Top Soil	80	TN	15.00	1200.00
12.	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	800	SY	2.00	1600.00
13.	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	6	EA	50.00	300.00
14.	1" Expansion Joint	54	LF	10.00	540.00
15.	Casting Type "A" Furnished and Adjusted to Grade	2	EA	325.00	650.00
16.	Water Valves (Curb-Box) Adjusted to Grade	10	EA	35.00	350.00
17.	Fertilize Tree	12	EA	40.00	480.00
18.	Construction Signs, Type A With Construction Warning Light Type A	6	EA	75.00	450.00
19.	Construction Signs, Type A	8	EA	35.00	280.00
20.	Standard Barricade, Type III-B With Signs, Type B Construction	14	EA	200.00	2800.00
21.	Maintenance of Traffic	1	LS	2000.00	2000.00

SUB-TOTAL:	98995.50
E&I @16%	15839.28
TOTAL:	**$114,834.78**

Revised: 02-13-04

43

BID

PROJECT: ELZEY ST. / MAPLEWOOD RD. CONCRETE STREET REPAIRS

RES. NO.: 7255-09

DATE:

W.O. NO.: 12117

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS		
2.	Removal of Pavement	2148	SY		
3.	Removal of Concrete	205	SY		
4.	Cement Concrete Pavement, Plain, High-Early (HES) 5000 psi	2148	SY		
5.	Concrete Pavement for Residential Drives (6")	180	SY		
6.	Concrete Wingwalk and Ramps (6")	40	SY		
7.	ADA Solutions, Armor-Tile, or Approved Equal "Replaceable" 2' x 4' Composite, Wetset, Tactile Warning Surface Unit - Brick Red	2	EA		
8.	Type "O" compacted Aggregate for Base No. 53	540	TN		
9.	Bedcourse Material	30	TN		
10.	Backfill Behind Curb	65	TN		
11.	Top Soil	80	TN		
12.	Hydroseeding with Hydrostik or Equivalent Polymer for Erosion and Sediment Control	800	SY		
13.	Sediguard Inlet Protection Device or Approved Equivalent for Sediment Control	6	EA		
14.	1" Expansion Joint	54	LF		
15.	Casting Type "A" Furnished and Adjusted to Grade	2	EA		
16.	Water Valves (Curb-Box) Adjusted to Grade	10	EA		
17.	Fertilize Tree	12	EA		
18.	Construction Signs, Type A With Construction Warning Light Type A	6	EA		
19.	Construction Signs, Type A	8	EA		
20.	Standard Barricade, Type III-B With Signs, Type B Construction	14	EA		
21.	Maintenance of Traffic	1	LS		

TOTAL: _____

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: Substantial - 11/01/09, Final - 5/31/10
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

bid page no. 1.

_____
Contractors Signature

Revised: 02-13-04

44

IMPROVEMENT RESOLUTION NO. 7231-09

COOK ROAD SIDEWALKS
Bridgewater Drive to Stonewall Run
WORK ORDER NO. 12105

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Walks, drives, wingwalks, ditch shaping & restoration.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 26th day of August, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: COOK ROAD SIDEWALKS
DATE: 8/13/2009
BID DATE:

RES. NO.: 7231-09
W.O. NO.: 12105

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS	2,000.00	2,000.00
2.	Removal of Concrete	250	SY	7.00	1,750.00
3.	Removal of Curb	10	LF	5.00	50.00
4.	Concrete Sidewalk (4")	875	SY	25.00	21,875.00
5.	Concrete for Residential Drives (6")	82	SY	28.00	2,296.00
6.	Concrete Curb Type "III"	10	LF	15.00	150.00
7.	Top Soil	325	TON	18.00	5,850.00
8.	Water Valves Adjusted to Grade (undistributed)	5	EA	40.00	200.00
9.	Water Valves Furnish & Adjusted to Grade (undistributed)	5	EA	100.00	500.00
10.	Hydroseeding, with Tack Additive, for Erosion and Sediment Control (Additive to be FINN Additve Sytem "E-Tack" or "Hydrostik" or approved equal)	1,450	SY	2.00	2,900.00
11.	Maintenance of Traffic	1	LS	2,000.00	2,000.00
12.	Construction Sign Type "A"	2	EA	75.00	150.00
13.	Common Excavation	120	CY	15.00	1,800.00
14.	Castings Adjusted to Grade	2	EA	120.00	240.00
15.	Bed Course Material Type "O" Compacted Aggregate for Base	320	TON	14.00	4,480.00
16.	Clearing of Right of Way	1	L.S.	1,000.00	1,000.00
17.	Tree Prunning & Fertilization	13	EA	120.00	1,560.00
18.	Inlet Protection Devices for Stormwater and Erosion Control ("Sediguard" Inlet Protection Device or Approved Equal)	4	EA	125.00	500.00
19.	Concrete Wingwalk & Curb Ramps	10	SY	35.00	350.00
20.	Lineal Grading (Ditch shaping)	4	STA	200.00	800.00
21.	Handrail - supplied by city (installation complete in place) With footings	20	LF	40.00	800.00
22.	Work Allowance	1	LS	5,000.00	5,000.00

SUB-TOTAL:	**$56,251.00**
E&I @40%	**$ 22,500.40**
TOTAL:	**$78,751.40**

Revised: 02-13-04

4u

BID

CONTRACTOR:

RES. NO.: 7231-09
W.O. NO.: 12105

PROJECT: COOK ROAD SIDEWALKS

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Mobilization / Demobilization	1	LS		
2.	Removal of Concrete	250	SY		
3.	Removal of Curb	10	LF		
4.	Concrete Sidewalk (4")	875	SY		
5.	Concrete for Residential Drives (6")	82	SY		
6.	Concrete Curb Type "III"	10	LF		
7.	Top Soil	325	TON		
8.	Water Valves Adjusted to Grade (undistributed)	5	EA		
9.	Water Valves Furnish & Adjusted to Grade (undistributed)	5	EA		
10.	Hydroseeding, with Tack Additive, for Erosion and Sediment Control (Additive to be FINN Additve Sytem "E-Tack" or "Hydrostik" or approved equal)	1450	SY		
11.	Maintenance of Traffic	1	LS		
12.	Construction Sign Type "A"	2	EA		
13.	Common Excavation	120	CY		
14.	Castings Adjusted to Grade	2	EA		
15.	Bed Course Material Type "O" Compacted Aggregate for Base	320	TON		
16.	Clearing of Right of Way	1	L.S.		
17.	Tree Prunning & Fertilization	13	EA		
18.	Inlet Protection Devices for Stormwater and Erosion Control ("Sediguard" Inlet Protection Device or Approved Equal)	4	EA		
19.	Concrete Wingwalk & Curb Ramps	10	SY		
20.	Lineal Grading (Ditch shaping)	4	STA		
21.	Handrail - supplied by city (installation complete in place) With footings	20	LF		
22.	Work Allowance	1	LS	5000.00	5000.00

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.
All work must be completed by : Nov.13,2009
Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____
Contractors Signature

IMPROVEMENT RESOLUTION NO. 7247-09

PARNELL AVENUE WALKS
WORK ORDER NO. 12118

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: **Parnell Avenue by constructing 1,950 linear feet of curbface walk and associated facilities on the west side between Vance Avenue and St. Joe River Drive. The work will also include drive approaches, Terrewalk, ramps, street light pole relocation, striping, seeding, and restoration.**

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 2 day of September, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: Parnell Avenue Sidewalks
REVISED ESTIMATE 9-11-09
BID DATE: September 23, 2009

RES. NO.: 7247-09
W.O. NO.: 12118

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	MOBILIZATION / DEMOBILIZATION	1	LS	5,000.00	5,000.00
2.	CONSTRUCTION ENGINEERING	1	LS	1,000.00	1,000.00
3.	MAINTENANCE OF TRAFFIC	1	LS	5,000.00	5,000.00
4.	EROSION AND SEDIMENT CONTROL	1	LS	500.00	500.00
5.	RIGHT-OF-WAY CLEARING	1	LS	1,000.00	1,000.00
6.	COMMON EXCAVATION	350	CY	12.00	4,200.00
7.	CONCRETE CURBFACE SIDEWALK (6")	920	SYDS	32.00	29,440.00
8.	TERREWALK SIDEWALK	88	SYDS	90.00	7,920.00
9.	CONCRETE WINGWALK AND RAMPS	240	SYDS	40.00	9,600.00
10.	DETECTABLE WARNING SURFACE (AT SOMERSET DRIVE AND VANCE AVENUE)	6	EA	225.00	1,350.00
11.	CONCRETE DRIVE APPROACH, RESIDENTIAL	664	SYDS	30.00	19,920.00
12.	CONCRETE CURB TURNOUT *ITEM DELETED*	0	EA	0.00	0.00
13.	CONCRETE PAD (4")	12	SYDS	25.00	300.00
14.	BED COURSE MATERIAL	500	TON	14.00	7,000.00
15.	TOP SOIL	575	TON	18.00	10,350.00
16.	FINE GRADING	1,700	SYDS	1.00	1,700.00
17.	HYDROSEEDING WITH TACK ADDITIVE, FOR EROSION AND SEDIMENT CONTROL (USE FINN ADDITIVE SYSTEM "E-TACK" OR "HYDROSTIK" OR APPROVED EQUAL)	1,700	SYDS	2.00	3,400.00
18.	INLET PROTECTION DEVICE FOR SEDIMENT AND EROSION CONTROL (SEDIGUARD INLET PROTECTION DEVICE)	2	EA	65.00	130.00
19.	CASTINGS, ADJUST TO GRADE	2	EA	120.00	240.00
20.	CASTING, NEEDNAH R-3251, FURNISHED AND ADJUST TO GRADE	1	EA	425.00	425.00
21.	TRANSVERSE MARKINGS, CROSSWALK, 24" (AT SOMERSET DRIVE AND VANCE AVENUE)	120	LF	8.00	960.00
22.	WATER VALVES ADJUSTED TO GRADE, (UNDISTRIBUTED)	16	EA	40.00	640.00
23.	WATER VALVES FURNISHED AND ADJUSTED TO GRADE, (UNDISTRIBUTED)	4	EA	100.00	400.00
24	CONCRETE REMOVAL	237	SY	7.50	1,777.50
25	WORK ALLOWANCE	1	LS	2,000.00	2,000.00
	STREET LIGHTING ITEMS				
26	REMOVE AERIAL SPAN	11	EA	75.00	825.00
27	REMOVE WOODEN POLE, MAST ARM & LUMINAIRE	9	EA	350.00	3,150.00
28	INSTALL WOODEN POLE, MAST ARM & LUMINAIRE	11	EA	700.00	7,700.00
29	INSTALL AERIAL SPAN	11	EA	2,200.00	24,200.00
30	INSTALL I.D. TAG	12	EA	60.00	720.00
	Addendum Items				
31	STORM INLET REMOVAL (To conform to City of Fort Wayne standard specifications)	4	EA	250.00	1,000.00
32	2'X2' STORM INLET	4	EA	1500.00	6,000.00

Revised: 02-13-04

ESTIMATE OF QUANTITIES

PROJECT: Parnell Avenue Sidewalks
REVISED ESTIMATE 9-11-09
BID DATE: September 23, 2009

RES. NO.: 7247-09
W.O. NO.: 12118

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
	(To conform to City of Fort Wayne standard specifications)				
33	12" , RCP CLASS V (To conform to City of Fort Wayne standard specifications)	40	LF	35.00	1,400.00
34	REMOVAL OF CURB	1700	LF	5.00	8,500.00
35	Tree Removal: (over 8" to 12") 10" size (IF ORDERED)	2	EA.	350.00	700.00
36	Tree Removal: (over12" to 24") 18" size (IF ORDERED)	2	EA.	450.00	900.00
37	Tree Removal: (over 24" to 36") 30" size (IF ORDERED)	2	EA.	550.00	1,100.00

SUB-TOTAL:	170,447.50
E&I @25%	42,611.88
TOTAL:	213,059.38

Revised: 02-13-04

A RESOLUTION declaring the intent to sell real estate owned by the City of Fort Wayne.

96-9-2-09-1

WHEREAS, The City of Fort Wayne is listed as the owner of the following property:

2425 JOHN ST.
N 34 2/3 LOT 8 J T HANNAS SUB ADD REPLAT S HANNA O L 11

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use of this property, and that future use by the City is unlikely.

WHEREAS, As a condition of sale the Board of Public Works has determined that all costs associated with the sale shall be borne by the buyer including the cost of the appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to sell the above-named property, following all applicable state statutes.

Signed this 2 day of September, 2009.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

Attest By:

_____
Marilyn Huth, Clerk

02-12-12-378-015.000-074 FORT WAYNE CITY OF 2425 JOHN ST 640

Tax ID 93-2942-0008 Printed 07/31/2009 Card No. 1 of 1

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
02-12-12-378-015.000-074

Parent Parcel Number

Property Address
2425 JOHN ST

Neighborhood
0

Property Class
640 Exempt: Municipality

TAXING DISTRICT INFORMATION

Jurisdiction	02	Allen
Area	093	093 Wayne
Corporation	100	
District	074	
Section & Plat	0123012	
Routing Number	6-(SE)-12-31-115	

Site Description

Topography:
Level

Public Utilities:
All

Street or Road:
Paved, Sidewalk, Alley

Neighborhood:
Declining

Zoning:

Legal Acres:
0.0000

OWNERSHIP

FORT WAYNE CITY OF
1 E MAIN ST RM 350
FORT WAYNE, IN 46802-1815

N 34 2/3 LOT 8 J T HANNAS SUB
ADD REPLAT S HANNA O L 11

TRANSFER OF OWNERSHIP

Date		
08/30/2007	HOUSING & NEIGHBORHOOD DEVELOPMENT SERVICES INC	Doc #: 2007049186 $0
07/26/2006	JONES DOUGLAS	Doc #: 206044933 $2500

EXEMPT

VALUATION RECORD

Assessment Year		1991	03/01/2001	03/01/2002	03/01/2006	03/01/2007	03/01/200	03/01/2009
Reason for Change		Misc	100pct AV	4Y Reval	Ann Adj	Ann Adj	Ann Ad	Ann Adj
VALUATION	L	400	400	1300	600	0	0	0
Appraised Value	B	0	0	0	0	0	0	0
	T	400	400	1300	600	0	0	0
VALUATION	L	130	400	1300	600	0	0	0
True Tax Value	B	0	0	0	0	0	0	0
	T	130	400	1300	600	0	0	0

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table 150 Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 Road Right of Way					0.00	0.00	0		0

: **********
2009 payable 2010 values have not been finalized and are
subject to change by state and local assessing officials.
****
ChID: Previous parcel_id: 93-2942-0008
GOVT: Exempt Government
371233 35 X 150 V-50%
NBHD: Changed neighborhood from 371233 to 0

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

Supplemental Cards

TRUE TAX VALUE 0

Measured Acreage
Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total
Homesite(s) Value (+)

Supplemental Cards
TOTAL LAND VALUE

138

137

Allen County, Indiana

©2004 Board of Commissioners of the County of Allen

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos: Spring 2006 / Contours:1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

A RESOLUTION declaring the intent to sell real estate owned by the City of Fort Wayne.

96-9-2-09-1

WHEREAS, The City of Fort Wayne is listed as the owner of the following property:

2425 JOHN ST.
N 34 2/3 LOT 8 J T HANNAS SUB ADD REPLAT S HANNA O L 11

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use of this property, and that future use by the City is unlikely.

WHEREAS, As a condition of sale the Board of Public Works has determined that all costs associated with the sale shall be borne by the buyer including the cost of the appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to sell the above-named property, following all applicable state statutes.

Signed this 2 day of September, 2009.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

Attest By:

_____
Marilyn Huth, Clerk

02-12-12-378-015.000-074 FORT WAYNE CITY OF 2425 JOHN ST 640

Tax ID 93-2942-0008 Printed 07/31/2009 Card No. 1 of 1

134

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
02-12-12-378-015.000-074

Parent Parcel Number

Property Address
2425 JOHN ST

Neighborhood
0

Property Class
640 Exempt: Municipality

TAXING DISTRICT INFORMATION

Jurisdiction	02	Allen
Area	093	093 Wayne
Corporation	100	
District	074	
Section & Plat	0123012	
Routing Number	6-(SE)-12-31-115	

Site Description

Topography:
Level

Public Utilities:
All

Street or Road:
Paved, Sidewalk, Alley

Neighborhood:
Declining

Zoning:

Legal Acres:
0.0000

OWNERSHIP

FORT WAYNE CITY OF
1 E MAIN ST RM 350
FORT WAYNE, IN 46802-1815

N 34 2/3 LOT 8 J T HANNAS SUB
ADD REPLAT S HANNA O L 11

TRANSFER OF OWNERSHIP

Date			
08/30/2007	HOUSING & NEIGHBORHOOD DEVELOPMENT SERVICES INC	$0	Doc #: 2007049186
07/26/2006	JONES DOUGLAS	$2500	Doc #: 206044933

EXEMPT

VALUATION RECORD

Assessment Year		1991	03/01/2001	03/01/2002	03/01/2006	03/01/2007	03/01/200	03/01/2009
Reason for Change		Misc	100pct AV	4Y Reval	Ann Adj	Ann Adj	Ann Ad	Ann Adj
VALUATION	L	400	400	1300	600	0	0	0
Appraised Value	B	0	0	0	0	0	0	0
	T	400	400	1300	600	0	0	0
VALUATION	L	130	400	1300	600	0	0	0
True Tax Value	B	0	0	0	0	0	0	0
	T	130	400	1300	600	0	0	0

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table 150 Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 Road Right of Way					0.00	0.00	0		0

: **********
2009 payable 2010 values have not been finalized and are
subject to change by state and local assessing officials.
****
ChID: Previous parcel_id: 93-2942-0008
GOVT: Exempt Government
371233 35 X 150 V-50%
NBHD: Changed neighborhood from 371233 to 0

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

Supplemental Cards

TRUE TAX VALUE 0

Measured Acreage
Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total
Homesite(s) Value (+)

Supplemental Cards
TOTAL LAND VALUE

Allen County, Indiana

©2004 Board of Commissioners of the County of Allen

North American Datum 1983
State Plane Coordinate System, Indiana East
Photos: Spring 2006 / Contours:1999

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

135

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: August 24, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$66,524.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the Anthony Wayne Village/Mount Vernon Park Water Main Replacement, the St. Joe Dam Pump Station project and the Lake Avenue Feeder Main project.

Draw #259	HNTB Corp.	$20,000.00
Draw #260	Bonar Group	7,815.00
Draw #261	Fleming Excavating & First Merchants Bank	30,709.00
Draw #262	City Utilities – City of Fort Wayne	8,000.00
	Total Payments	**$66,524.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

9-2-09
Date

IMPROVEMENT RESOLUTION NO. 7256-09

ON CALL LOCAL CONCRETE STREET REPAIRS
WORK ORDER NO. 12159

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Various locations throughout districts 1 through 6 in the City of Fort Wayne by repairing local concrete streets.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 2 day of September, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BID

PROJECT: ON-CALL LOCAL CONCRETE STREET REPAIRS

RES NO : 7256-09

DATE: 8-26-09

W O NO 12159

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)
1.	"Special" Cement Concrete Pavement , Plain 6" (High Early Mix with 1% or 2% Calcium if needed) **Note: See Special Provisions for Other Items Included In the S.Y. Price** **Note: Minimum Of 60 S.Y. Shall Be Paid Per Call-Out Repair** **Note: Any Incidental Construction That May Be Encountered Shall Be Paid For At Time And Materials**		S.Y.	

TOTAL

NO WORK WILL BE GIVEN AFTER OCTOBER 30, 2009
CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: November 15,2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES,
EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND
WILL BE NOTED AT THE TIME OF OPENING.

bid page no. 1.

Contractors Signature

ESTIMATE OF QUANTITIES

PROJECT: ON-CALL LOCAL CONCRETE STREET REPAIRS

PES NO 7256-09

DATE: 8/26/2009

WO NO 12159

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	"Special" Cement Concrete Pavement , Plain 6" (High Early Mix with 1% or 2% Calcium if needed)		S.Y.	60.00	

SUB-TOTAL	0.00
E&I @16%	0.00
TOTAL:	**$0.00**

AMMENDED
IMPROVEMENT RESOLUTION NO. 7210-08

3539 N. WASHINGTON RD.
WORK ORDER NO. 12088

CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve: 3539 N. Washington Rd. by reconstructing the curbs, sidewalks and drive approach as needed.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost for sidewals,curbing and drive approaches shall be assessed 60% on the real estate abutting on said improvements and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement and the cost for curb ramps shall be assessed 100% on said City, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted this 2 day of September, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BID

PROJECT: 3539 N. Washington Rd.

RES. NO.:7210-08

DATE:

W.O. NO.: 12088

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Curb	65	LF		
2.	Removal of Concrete	193	SY		
3.	Concrete Sidewalk (4")	10	SY		
1.	Concrete Sidewalk (4") with exposed aggregate finish (See page #1 of special Notes)	126	SY		
2.	Concrete Sidewalk (6")thru Drive with exposed aggregate finish (See page #1 of special Notes)	9	SY		
4.	Concrete Pavement for Residential Drive (6")	31	SY		
5.	Concrete Wingwalk & Ramps (6")	10	SY		
6.	Concrete Curb Type II-B	65	LF		
7.	Bed Course Material	30	TON		
8.	HydroSeeding With HydroStick or Equivalent Polymer for Erosion Control	150	SY		
9.	Top Soil	25	TON		
10.	Construction Signs, Type A With Construction Warning Light Type A	5	EA		
11.	Mobilization / Demobilization	1	LS		
12.	Maintance of Traffic	1	LS		
13.	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'X4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	2	EA		
			TOTAL BASE BID		

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: November 1st, 2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES, EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND WILL BE NOTED AT THE TIME OF OPENING.

bid page no. 1.

Contractors Signature

ESTIMATE OF QUANTITIES

PROJECT: 3539 N. Washington Rd. RES. NO.:7210-08

DATE: 8/28/2009 W.O. NO.: 12088

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Curb	65	LF	7.50	487.50
2.	Removal of Concrete	193	SY	7.00	1351.00
3.	Concrete Sidewalk (4")	10	SY	30.00	300.00
1.	Concrete Sidewalk (4") with exposed aggregate finish (See page #1 of special Notes)	126	SY	45.00	5670.00
2.	Concrete Sidewalk (6")thru Drive with exposed aggregate finish (See page #1 of special Notes)	9	SY	50.00	450.00
4.	Concrete Pavement for Residential Drive (6")	31	SY	30.00	930.00
5.	Concrete Wingwalk & Ramps (6")	10	SY	45.00	450.00
6.	Concrete Curb Type II-B	65	LF	15.00	975.00
7.	Bed Course Material	30	TON	10.00	300.00
8.	HydroSeeding With HydroStick or Equivalent Polymer for Erosion Control	150	SY	3.50	525.00
9.	Top Soil	25	TON	15.00	375.00
10.	Construction Signs, Type A With Construction Warning Light Type A	5	EA	80.00	400.00
11.	Mobilization / Demobilization	1	LS	1000.00	1000.00
12.	Maintance of Traffic	1	LS	1000.00	1000.00
13.	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'X4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	2	EA	300.00	600.00
			SUB-TOTAL BASE BID		14813.50
			E&I @25%		3703.38
			TOTAL BASE BID		**18516.88**

Revised: 02-13-04

Warfield Area Manhole Rehabilitation
RESOLUTION NO. 2254-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Rehabilitation of selected manholes by application of an approved coating system to 32 manholes;

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, Warfield Area Manhole Rehabilitation

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $68,861.25.

APPROVED THIS 2 DAY OF September, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY:
Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

THREE RIVERS FILTRATION PLANT LIME SLUDGE PUMPING AND DRAW-OFF CONTROL IMPROVEMENTS PHASE II
RESOLUTION NO. 2018-2007

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Whereas, the Three Rivers Filtration Plant operations requires the ability to remove sludge residual from its primary and secondary treatment process, and the improvements to residual handling will make it possible for the Plant to improve the quality of water leaving the primary and secondary treatment stages, and

Whereas, the improvements from this project will install instrumentation and provide automated controls through Programmable Logic Controllers (PLC's) for sludge pumps & draw-off valves in Plant 2 & 3 which would enable the Plant to optimize sludge collection and sludge pumping system operations.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "THREE RIVERS FILTRATION PLANT LIME SLUDGE PUMPING AND DRAW-OFF CONTROL IMPORVEMENTS - PHASE II"

Declares the cost of the said improvements shall be paid by the funds from 2006 water utility SRF bond.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $350,000.

APPROVED THIS 9th DAY OF September, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

NORARROW DRIVE WATER MAIN INSTALLATION
(PARKVIEW PLAZA DRIVE TO DIEBOLD ROAD)
RESOLUTION NO. 2257-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 1,450 linear feet of 16-inch PVC water main and four fire hydrants and all other appurtenances necessary for the water main installation project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "Norarrow Drive Water Main Installation".

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $165,000.00

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 16th DAY OF September, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

Plant 3 North Sludge Pumps Phase 2
RESOLUTION NO. 2212-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Sludge pumping at the Three River's Water Filtration Plant will have new pumps installed to improve reliability of the residual pumping operation.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, Plant 3 North Sludge Pump Phase 2

Declares the cost of the said improvements shall be paid by the funds from the the Fort Wayne Water Utility SRF Bond.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $250,000

APPROVED THIS 23 DAY OF September, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

MultiSmart Controller Replacement
RESOLUTION NO. 2213-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

This project, bid through the City Purchasing Department, will entail replacing existing electrical components at 18 lift stations throughout the City.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, MultiSmart Controller Replacement

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $49,000.00.

APPROVED THIS 23 DAY OF September, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chairman

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

SPY RUN INTERCEPTOR CIPP
RESOLUTION NO. 2175-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Rehabilitation of a sanitary sewer trunk line by means of cured-in-place pipe (CIPP). Sizes range from 12" to 33" along with a double barreled siphon. The contractor shall also be responsible for bypass pumping and lining a double barreled siphon and approximately 6,661 feet of sewer pipe.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, Spy Run Interceptor CIPP.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $ 647,021.25.

APPROVED THIS 23 DAY OF September, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

PROFESSIONAL SERVICES AGREEMENT

#96-9-23-09-1

DEVELOPMENT CRITERIA / STANDARDS STORMWATER MANUAL SUSTAINABLE / LID / GREEN INFRASTRUCTURE SUPPLEMENTAL STANDARDS

This Agreement is by and between

CITY OF FORT WAYNE ("CITY")

Original in Vault

by and through its

Board of Stormwater Management
City of Fort Wayne
420 City-County Building
One Main Street
Fort Wayne, IN 46802

and

AMEC EARTH & ENVIRONMENTAL, INC. ("ENGINEER")
201 S. Capitol Avenue
Suite 200
Indianapolis, IN 46225

Who agree as follows:

CITY hereby engages ENGINEER to perform the services set forth in Part I - Services ("Services") and ENGINEER agrees to perform the Services for the compensation set forth in Part III - Compensation ("Compensation"). ENGINEER shall be authorized to commence the Services upon execution of this Agreement and written authorization to proceed from CITY. CITY and ENGINEER agree that these signature pages, together with Parts I-IV and attachments referred to therein, constitute the entire Agreement ("Agreement") between them relating to the Project.

APPROVALS

APPROVED FOR CITY

CITY OF FORT WAYNE, INDIANA

BOARD OF STORMWATER MANAGEMENT

BY: _____
Robert P. Kennedy, Chairman

BY: _____
John Suarez, Member

BY: _____
Matthew A. Wirtz, Member

ATTEST: _____
Marilyn Huth, Clerk

DATE: September 23, 2009

APPROVED as to form and legality.

AMEC EARTH & ENVIROMENTAL, INC.

BY: _____
Douglas C. Noel, Vice President

DATE: 9 / 15 / 09

PART I

SCOPE OF BASIC ENGINEERING SERVICES

A. GENERAL

Engineer shall provide the City professional engineering services in all phases of the project to which this scope of services applies. These services will include serving as CITY'S professional representative for the Project, providing professional engineering consultation and advice, and furnishing civil, environmental, structural, mechanical, and electrical engineering services and other customary services incidental thereto.

B. PROJECT DESCRIPTION

In accordance with the recommendations from Phase 1, the following Scope of Services provides for the development of a Green Design supplemental document, review of development ordinance and policies for Green Infrastructure allowance and a review of the existing edits to the Stormwater Development Criteria Manual.

C. SCOPE OF WORK

The duty of the ENGINEER is to develop final construction drawings. The final construction documents shall be stamped by a Registered Professional Engineer, licensed in the state of Indiana and employed by the ENGINEER. The ENGINEER shall develop and provide the following services as detailed in Attachment A.

D. SCHEDULE

The project will be completed per attached schedule. This schedule is based on receiving a Notice to Proceed by: October 5, 2009 and receiving prompt review and approvals from City agencies and PROGRAM MANAGER.

SCHEDULE	DATE
Task 1	3 months from NTP
Task 2	4 months from NTP
Task 3	3 months from NTP

E. OPTIONAL ADDITIONAL SERVICES

Upon separate written authorization by City and negotiated fees, ENGINEER can provide the following additional services:

Obtain a Utility location sub-consultant to determine horizontal and vertical location of existing utilities at possible conflict locations.

Prepare a "Property Acquisition Summary Sheet" and easement plats.

PART II

CITY'S RESPONSIBILITIES

City shall, at its expense, do the following in a timely manner so as not to delay the services:

A. INFORMATION REPORTS/CITY UTILITY MAPS/AERIAL MAPS/CONTOUR MAPS

Make available to ENGINEER reports, studies, regulatory decisions and similar information relating to the Services that ENGINEER may rely upon without independent verification unless specifically identified as requiring such verification.

Provide staff schedules and proposed meeting times for stakeholder meetings.

B. REPRESENTATIVE

Designate a representative for the project who shall have the authority to transmit instructions, receive information, interpret and define City's requirements and make decisions with respect to the Services. The City representative "PROGRAM MANAGER" for this Agreement will be Anne Marie Smrchek.

C. DECISIONS

Provide all criteria and full information as to City's requirements for the Services and make timely decisions on matters relating to the Services.

PART III

COMPENSATION

A. COMPENSATION

Compensation for services performed in accordance with Part I – Scope of Basic Engineering Services of this Agreement will be based on hours actually spent and expenses actually incurred with a not-to-exceed engineering fee of $64,437.00 as summarized in attached Attachment 1.

ENGINEER's costs will be based on the hours incurred to complete the project times the hourly rates of the various personnel, per Attachment 2 – Hourly Rate Schedule. All Reimbursable costs incurred for the project will be invoiced at cost plus 10% percent to cover administrative costs.

Payment for outside consulting and/or professional services such as Geotechnical, Title Company, Registered Land Surveyor for easement preparation, or Legal Services performed by a Subconsultant at actual cost to ENGINEER plus 10% percent for administrative costs. The ENGINEER will obtain written City approval before authorizing these services.

B. BILLING AND PAYMENT

1. Timing/Format

   a. ENGINEER shall invoice City monthly for Services completed at the time of billing. Such invoices shall be prepared in a form and supported by documentation as City may reasonably require.

   b. City shall pay ENGINEER within 30 days of receipt of approved invoice.

2. Billing Records

   ENGINEER shall maintain accounting records of its costs in accordance with generally accepted accounting practices. Access to such records will be provided during normal business hours with reasonable notice during the term of this Agreement and for 3 years after completion.

PART IV
STANDARD TERMS AND CONDITIONS

1. STANDARD OF CARE. Services shall be performed in accordance with the standard of professional practice ordinarily exercised by the applicable profession at the time and within the locality where the services are performed. No warranty or guarantee, express or implied, are provided, including warranties or guarantees contained in any uniform commercial code.

2. CHANGE OF SCOPE. The scope of Services set forth in this Agreement is based on facts known at the time of execution of this Agreement, including, if applicable, information supplied by ENGINEER and CITY. ENGINEER will promptly notify CITY of any perceived changes of scope in writing and the parties shall negotiate modifications to this Agreement.

3. SAFETY. ENGINEER shall establish and maintain programs and procedures for the safety of its employees. ENGINEER specifically disclaims any authority or responsibility for general job site safety and safety of persons other than ENGINEER employees.

4. DELAYS. If events beyond the control of ENGINEER, including, but not limited to, fire, flood, explosion, riot, strike, war, process shutdown, act of God or the public enemy, and act or regulation of any government agency, result in delay to any schedule established in this Agreement, such schedule shall be extended for a period equal to the delay. In the event such delay exceeds 90 days, ENGINEER will be entitled to an equitable adjustment in compensation.

5. TERMINATION/SUSPENSION. Either party may terminate this Agreement upon 30 days written notice to the other party in the event of substantial failure by the other party to perform in accordance with its obligations under this Agreement through no fault of the terminating party. CITY shall pay ENGINEER for all Services, including profit relating thereto, rendered prior to termination, plus any expenses of termination.

ENGINEER or CITY, for purposes of convenience, may at any time by written notice terminate the services under this Agreement. In the event of such termination, ENGINEER shall be paid for all authorized services rendered prior to termination including reasonable profit and expenses relating thereto.

6. REUSE OF PROJECT DELIVERABLES. Reuse of any documents or other deliverables, including electronic media, pertaining to the Project by CITY for any purpose other than that for which such documents or deliverables were originally prepared, or alternation of such documents or deliverables without written verification or adaptation by ENGINEER for the specific purpose intended, shall be at CITY's sole risk.

7. OPINIONS OF CONSTRUCTION COST. Any opinion of construction costs prepared by ENGINEER is supplied for the general guidance of the CITY only. Since ENGINEER has no control over competitive bidding or market conditions, ENGINEER cannot guarantee the accuracy of such opinions as compared to contract bids or actual costs to CITY.

8. RELATIONSHIP WITH CONTRACTORS. ENGINEER shall serve as CITY's professional representative for the Services, and may make recommendations to CITY concerning actions relating to CITY's contractors, but ENGINEER specifically disclaims any authority to direct or supervise the means, methods, techniques, sequences or procedures of construction selected by CITY's contractors.

9. MODIFICATION. This Agreement, upon execution by both parties hereto, can be modified only by a written instrument signed by both parties.

10. PROPRIETARY INFORMATION. Information relating to the Project, unless in the public domain, shall be kept confidential by ENGINEER and shall not be made available to third parties without written consent of CITY.

11. INSURANCE. ENGINEER will maintain insurance coverage for Professional, Comprehensive General, Automobile, Worker's Compensation and Employer's Liability in amounts in accordance with legal, and ENGINEER business, requirements. Certificates evidencing such coverage will be provided to CITY upon request. For projects involving construction, CITY agrees to require its construction contractor, if any, to include ENGINEER as an additional insured on its policies relating to the Project. ENGINEER coverages referenced above shall, in such case, be excess over contractor's primary coverage.

12. INDEMNITIES. To the fullest extent permitted by law, ENGINEER shall indemnify and save harmless the City from and against loss, liability, and damages sustained by CITY, its agents, employees, and representatives by reason of injury or death to persons or damage to tangible property to the extent caused directly by the negligent errors or omissions of ENGINEER, its agents or employees.

13. LIMITATIONS OF LIABILITY. No employee or agent of ENGINEER shall have individual liability to CITY. CITY agrees that, to the fullest extent permitted by law, ENGINEER's total liability to CITY for any and all injuries, claims, losses, expenses or damages whatsoever arising out of or in any way related to the Project or this Agreement from any causes including, but not limited to, ENGINEER's negligence, error, omissions, strict liability, or breach of contract shall not exceed the total compensation received by ENGINEER under this Agreement except for personal injury or property damage which shall be limited to the extent of ENGINEER insurance coverage (minimum $250,000.00). If CITY desires a limit of liability greater than that provided above, CITY and ENGINEER shall include in this Agreement the amount of such limit and the additional compensation to be paid to ENGINEER for assumption of such additional risk.

14. ASSIGNMENT. The rights and obligations of this Agreement cannot be assigned by either party without written permission of the other party. This Agreement shall be binding upon and insure to the benefit of any permitted assigns.

15. ACCESS. CITY shall provide ENGINEER safe access to any premises necessary for ENGINEER to provide the Services.

16. PREVAILING PARTY LITIGATION COSTS. In the event any actions are brought to enforce this Agreement, the prevailing party shall be entitled to collect its litigation costs from the other party.

17. NO WAIVER. No waiver by either party of any default by the other party in the performance of any particular section of this Agreement shall invalidate another section of this Agreement or operate as a waiver of any future default, whether like or different in character.

18. SEVERABILITY. The various term, provisions and covenants herein contained shall be deemed to be separate and severable, and the invalidity or unenforceability of any of them shall not affect or impair the validity or enforceability of the remainder.

19. AUTHORITY. The persons signing this Agreement warrant that they have the authority to sign as, or on behalf of, the part for whom they are signing.

20. STATUTE OF LIMITATION. To the fullest extent permitted by law, parties agree that, except for claims for indemnification, the time period for bringing claims regarding ENGINEER's performance under this Agreement shall expire one year after Project Completion.

ATTACHMENT 1

SUMMARY SHEET
SCOPE OF BASIC ENGINEERING SERVICES FEE PROPOSAL

Phase II

	Total Hours	Labor Costs	Reimbursibles	Total Cost
Task 1 - Green Supplemental Document Development	170	$ 18,509.10	$ 1,540.55	$ 20,049.65
Task 2 -Ordinance/Policy/Incentive Review	180	$ 17,500.93	$ 1,155.55	$ 18,656.48
Task 3 - Review of Criteria Manual Edits	94	$ 14,614.76	$ 616.11	$ 15,230.87
On-Call				$ 10,500.00
Total Phase II		**$ 50,624.79**	**$ 3,312.21**	**$ 64,437.00**

TOTAL NOT TO EXCEED FEE: **$64,437.00**

NTE = Not to Exceed

ATTACHMENT 2

EMPLOYEE HOURLY RATE SCHEDULE

EMPLOYEE DESCRIPTION	HOURLY RATE
Principal/Program Director	281.00
Senior Engineer/Senior Project Manager	144.00
Project Manager/Engineer	89.00
GIS Analyst	76.00
Intern/Jr GIS	45.00
Administrative	45.00

ATTACHMENT A

SERVICES BY ENGINEER

PROJECT: DEVELOPMENT CRITERIA / STANDARDS STORMWATER MANUAL SUSTAINABLE/ LID / GREEN INFRASTRUCTURE SUPPLEMENTAL STANDARDS

OVERVIEW

In accordance with the recommendations from Phase 1, the following Scope of Services provides for the development of a Green Design supplemental document, review of development ordinance and policies for Green Infrastructure allowance and a review of the existing edits to the Stormwater Development Criteria Manual.

Task 1 - Green Supplemental Document Development

1.1 Document Development - The ENGINEER Shall Create a Green Supplemental Document. The basic components of the document will consist of an introduction defining low impact development and land planning, general techniques to reduce impervious cover, green infrastructure fact sheets, stormwater landscape guidance, typical planting plans, plan review checklist, and operations and maintenance manuals/agreements.

Deliverables:

1. A copy-ready original of the *Green Supplemental Stormwater Document.*
2. A digital copy of the *Green Supplemental Stormwater Document*, in PDF format, for placement of the City of Ft. Wayne's web site.

1.2 Internal Staff Education – The ENGINEER shall create a Green Supplemental Document Training Power Point for Internal City Staff Training and the External Design Community. The ENGINEER shall provide two (2) two (2) hour training sessions - One (1) training session for the City of Ft. Wayne Staff and one (1) training session for the External Design Community. Information obtained from these sessions will be used for development of Task 2.

Deliverables:

1. A copy-ready original of the *Green Supplemental Stormwater Document training power point.*
2. A digital copy of the *Green Supplement Stormwater Document training power point*, in PDF format, for placement of the City of Ft. Wayne's web site.

Task 2 -Ordinance/Policy/Incentive Review

2.1 Ordinance/Policy/Incentive Review checklist Development – The ENGINEER shall create an Ordinance/Policy/Incentive Review Checklist. The Checklist will be created to assist the City in evaluating existing development codes, regulations and ordinances to identify potential regulatory or planning process impediments that affect the use of or successful implementation of LID practices in new development as well as in infill or redevelopment projects. One (1) meeting w/ City Staff is included in this time to review and explain the checklist before internal city staff distribution.

Deliverables:

1. A copy-ready original of the *Ordinance/Policy/Incentive Review Checklist.*
2. A digital copy of the *Ordinance/Policy/Incentive Review Checklist training power point*, in PDF format, for placement of the City of Ft. Wayne's web site.

2.2 Ordinance/Policy/Incentive Review Checklist Distribution, Data Collection, Evaluation, and Reporting- The ENGINEER shall distribute the checklist and collect the data. After processing the data the ENGINEER shall have a series of three (3) two (2) hour meetings with City Staff-or a designated Low Impact Development (LID) Steering Committee. The results will be reviewed at these meetings and input will be obtained from the Steering Committee to systematically prioritize change with in existing ordinances and policies and gain input form the Committee on policy language development and incentive creation. The ENGINEER shall write a formal report from this process with recommended priority areas for change and recommended next steps. The ENGINEER shall create a presentation of the findings of the Report and recommended next steps of the process. The ENGINEER shall provide one (1) presentation to the DPW Board.

Deliverables:
1. A copy-ready original of the *Ordinance/Policy/Incentive Review Report.*
2. A digital copy of the *Ordinance/Policy/Incentive Review Report.*
3. A copy-ready original of the *Ordinance/Policy/Incentive Report presentation.*

Task 3 – Review of Criteria Manual Edits

3.1 Review of Criteria Manual Edits – The ENGINEER shall provide up to 40 hours of review for the existing edits completed by Commonwealth Engineers to the Stormwater Development Criteria Manual to verify edits are aligned with the direction of the stakeholder group's recommendations. The edits will also be reviewed for completeness and compared to hand written notes provided by the OWNER. The ENGINEER shall provide recommendations to the OWNER how the edits should be implemented in written form and will present those recommendations in a single meeting with City Staff. In addition, the ENGINEER shall assist the OWNER with creating a variance process.

Deliverables:
1. Summary of review comments on the manual edits
2. Recommendations for implementation of the revised manual
3. One (1) presentation on the proposed revisions
4. Creation of Variance Process

On-call - The ENGINEER shall utilize Commonwealth Engineers to review existing edits and make necessary changes to the Stormwater Development Criteria Manual. Fee is not to exceed $10,500.

OTHER SERVICES

A. Additional services as may be identified during the course of the project, which are not listed in ATTACHMENT A. These services will be mutually agreed upon and will be scoped and priced with the PROGRAM MANAGER. These services shall be performed by the ENGINEER only upon written authorization by PROGRAM MANAGER.

In fulfillment of this contract, the ENGINEER shall comply with the requirements of the appropriate regulations and requirements of the City of Fort Wayne.

Resolution #96-9-23-09-2

A RESOLUTION approving City of Fort Wayne QUITCLAIM DEED to EIG Time Corners, LLC

WHEREAS, The City of Fort Wayne undertook and has completed a road improvement project on West Jefferson Blvd. known as Time Corners Traffic Improvement Project No: STP – 000C(563) in the City of Fort Wayne, Allen County, Indiana, and

WHEREAS, In the area of the project there are two wedge shaped pieces of real estate along West Jefferson Blvd. and

WHEREAS, The two wedge shaped pieces pieces of real estate are not owned by the City of Fort Wayne and the City of Fort Wayne has no interest in said pieces of real estate, and

WHEREAS, EIG Time Corners, LLC, as part of settlement agreement with the City of Fort Wayne has requested that the City of Fort Wayne sign a QUITCLAIM DEED for these two pieces of real estate to EIG Time Corners, LLC, and

WHEREAS, The City of Fort Wayne has agreed to QUITCLAIM all of their rights, title and interest in the two wedged shaped pieces of real estate, and

WHEREAS, The City of Fort Wayne Property Management Department has been asked to sign the QUITCLAIM DEED

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby approves EIG Time Corners LLC request and authorizes the City's representative to sign said deed.

Signed this 23 day of September, 2009.

CITY OF FORT WAYNE

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

Carson
Boxberger
Attorneys

1400 ONE SUMMIT SQUARE
FORT WAYNE, IN 46802-3173
PHO (260) 423-9411 FAX (260) 423-4329
CARSONBOXBERGER.COM

July 8, 2009

Richard P. Samek
samek@carsonboxberger.com

David Ross, City Engineer
One East Main St., Room 700
7th Floor, City-County Building
Fort Wayne, IN 46802

Re: Time Corners Traffic Improvement Project No: STP-000C(563)
Our File No: 22,738

Dear Dave:

Enclosed please find a Quit-Claim Deed from the City of Fort Wayne to EIG Time Corners, LLC for the two wedge shaped pieces of real estate along West Jefferson Blvd. Also for your file enclosed please find surveys from Donovan Engineering showing the two tracts, along with a legal description thereof.

The City of Fort Wayne does not own this real estate and, as you have confirmed, has no interest in the real estate. Accordingly, we are quit claiming any and all interest that we may have (which is none) to EIG Time Corners, LLC. EIG intends to track titles as far back as possible, then get a title company to insure its fee simple interest in the real estate. Please sign (or have an appropriate party sign) the Quit-Claim Deed at the location that I have marked, as well as the Sales Disclosure Form, again where I have marked. I will hold the documents until we have finalized the Stipulation for Order Nunc Pro Tunc raising the amount of damages per the negotiated agreement by $40,000.00. Copies of the Stipulation and Order are enclosed.

My sense of timing is that the Court would approve the Order, we would pay the additional damages into Court, then we would exchange the Deeds for a short form Release of the City by EIG of any and all further claims as a result of the condemnation, along with dismissal of Exceptions. When last we spoke you were going to confirm with the State of Indiana that the negotiated settlement and the payment of the additional damages as previously discussed is still acceptable with all concerned. Please let me know if there is a fly in the ointment. I have not delivered the Stipulation to the other side, as I wanted to make sure that INDOT had not for some reason changed its mind.

Sincerely,

CARSON BOXBERGER LLP

Richard P. Samek

RPS/skm
Enclosures

Dan - 8/25
Can you sign Quit-Claim? Or direct me to who can. Call if you have questions.
D Ross
(2789)

SOLUTIONS.

MAIL TAX BILLS TO:

EIG Time Corners LLC
111 E. Wayne Street, Suite 500
Fort Wayne, IN 46802

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, that the CITY OF FORT WAYNE ("Grantor") of Allen County in the State of Indiana, QUITCLAIMS to EIG TIME CORNERS, LLC, an Indiana limited liability company ("Grantee"), all of Grantor's right, title and interest in the following described real estate located in Allen County, Indiana:

PARCEL "A"

Part of the vacated portion, as hereinafter described of the Plat of Country Club Terrace Addition, Section A, to the City of Fort Wayne, Indiana, as in Plat Book 12, page 42 in the Office of the Recorder of Allen County, recorded; situated in the South One Half of the Southeast Quarter of Section 7, Township 30 North, Range 12 East, in Allen County, by metes and bounds in particular described as follows, to-wit:

Commence on the West line of vacated Lot number 212 at a point situated 10 feet North of the Southwest corner thereof; thence Northerly along the West line of Vacated Lots Numbered 212, 270, 271 and 341 being coincident with the Easterly 25 feet right of way line of the Getz Road as established by said Plat, a distance of 620.0 feet to the South line of Wilkie Drive at the Northwest corner of Vacated Lot Number 341; thence Easterly on the line aforesaid by a deflection right of 89 degrees 52 minutes a distance of 1075.0 feet to the centerline of Vacated Sheffield Drive; thence Southerly along said Sheffield Drive centerline by a deflection right of 90 degrees 09 minutes a distance of 145.0 feet to its intersection by the North line produced Eastward, of Vacated Lots Numbered 290 and 289; thence Westerly along the line aforesaid, a distance of 125.0 feet to the Northwest corner of said Vacated Lot Number 289; thence Southerly on the West line said West ine produced Southward, of said Vacated Lot Number 289, a distance of 170.0 feet to the centerline of Vacated Winthrop Drive and the true point of beginning; thence

West on the centerline of said Winthrop Drive, a distance of 100.0 feet to the East line, produced Northward, of Vacated Lot Number 255; thence Southerly on the line aforesaid, a distance of 60.5 feet to the Northwesterly right of way line of former U.S. Highway No. 24, now West Jefferson Boulevard as situated 80 feet radially distant Northwestward of said Highway centerline; thence Northeasterly by a deflection left of 121 degrees 17 minutes a distance of 117.0 feet to the point of beginning, containing 0.069 acres (3025.0 square feet).

PARCEL "B"

Part of the vacated portion, as hereinafter described of the Plat of Country Club Terrace Addition, Section A, to the City of Fort Wayne, Indiana, as in Plat Book 12, page 42 in the Office of the Recorder of Allen County, recorded; situated in the South One Half of the Southeast Quarter of Section 7, Township 30 North, Range 12 East, in Allen County, by metes and bounds in particular described as follows, to-wit:

Commence on the West line of vacated Lot number 212 at a point situated 10 feet North of the Southwest corner thereof; thence Northerly along the West line of Vacated Lots Numbered 212, 270, 271 and 341 being coincident with the Easterly 25 feet right of way line of the Getz Road as established by said Plat, a distance of 620.0 feet to the South line of Wilkie Drive at the Northwest corner of Vacated Lot Number 341; thence Easterly on the line aforesaid by a deflection right of 89 degrees 52 minutes a distance of 1075.0 feet to the centerline of Vacated Sheffield Drive; thence Southerly along said Sheffield Drive centerline by a deflection right of 90 degrees 09 minutes a distance of 145.0 feet to its intersection by the North line produced Eastward, of Vacated Lots Numbered 290 and 289; thence Westerly along the line aforesaid, a distance of 125.0 feet to the Northwest corner of said Vacated Lot Number 289; thence Southerly on the West line said West ine produced Southward, of said Vacated Lot Number 289, a distance of 170.0 feet to the centerline of Vacated Winthrop Drive; thence West on the centerline of said Winthrop Drive, a distance of 100.0 feet to the East line, produced Northward, of Vacated Lot Number 255; thence Southerly on the line aforesaid, a distance of 60.5 feet to the Northwesterly right of way line of former U.S. Highway No. 24, now West Jefferson Boulevard as situated 80 feet radially distant Northwestward of said Highway centerline; thence Southwesterly along said Highway right of way line and extrorsely concentric to the 0 degrees 58 minute centerline curve to the left, a distance of 266.9 feet to the South line of vacated Lot number 259 and the **true point of beginning**; thence Westerly on the South line and said line produced West of the aforesaid Vacated Lots Numbered 259 and 260 a distance of 82.3 feet to the centerline of Vacated Bellaire Drive; thence Southerly on said Vacated Bellaire Drive centerline, a distance of 50.2 feet to the Northwesterly right of way line of said West Jefferson Boulevard as situated 70 feet radially distant Northwestward of said Highway centerline; thence Northeasterly by a

deflection left of 121 degrees 29 minutes 27 seconds a distance of 96.51 feet to the point of beginning, containing 0.047 acres (2065.7 square feet).

These parcels of real estate do not have mailing addresses. Each is located adjacent to Time Corners Shopping Center and each is on Jefferson Boulevard east of Covington Road.

Grantor represents and warrants to Grantee that, as of the date hereof, the real estate being conveyed hereby does not constitute "property" as that term is defined in I.C. § 13-11-2-174 and, therefore, it is unnecessary for Grantor to deliver an environmental disclosure document for transfer of real property.

Grantor is not acting, directly or indirectly, in any capacity whatsoever for any foreign country or national thereof, and Grantor is more than eighteen (18) years of age and a citizen of the United States.

CITY OF FORT WAYNE

By:_____

_____

Its:_____

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____ as _____ of the City of Fort Wayne and acknowledged the execution of the foregoing Deed on the date of its execution as set forth above.

Witness my hand and Notarial Seal this ____ day of _____, 2009.

_____
Notary Public Signature

_____
Printed Name

My Commission Expires: _____

A Resident of Allen County, Indiana

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Stephen L. Fink, Esq.

This instrument prepared by Stephen L. Fink, Esq., Barnes & Thornburg LLP, 600 One Summit Square, Fort Wayne, IN 46802

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: September 25, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$163,379.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the Anthony Wayne Village/Mount Vernon Park Water Main Replacement, the St. Joe Dam Pump Station project, the 3RFP North Pump Building, the Lime Sludge Pumping Ph 2 project, the 3RFP Plant 3 Flocculation Pit, and the 3RFP Plant North 3 Sludge Pumps Ph 2 project.

Draw #263 & #264	CH2M Hill.	$122,510.00
Draw #265	HNTB Corp.	12,968.00
Draw #266, #268 & #269	City Utilities – City of Fort Wayne	23,930.00
Draw #267	Black & Veatch Corp.	2,675.00
Draw #270	Design Collaborative	1,296.00
	Total Payments	**$163,379.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

September 30, 2009
Date

IMPROVEMENT RESOLUTION NO. 7257-09

SIDEWALK TRIP HAZARD ELIMINATION
WORK ORDER NO. 12163

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Sidewalk Trip Hazard Elimination by way of horizontal sawing of sidewalk pavement in Wedgewood Neighborhood Association, Concord Hills Addition, Crestwood Colony Neighborhood Association, Old Trail Neighborhood, Westchester Addition, Victoria Park Neighborhood

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 30th day of September, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ESTIMATE OF QUANTITIES

PROJECT: SIDEWALK TRIP HAZARD ELIMINATION

RES. NO.: 7257 -09

DATE:

W.O. NO.: 12163

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Sidewalk Trip Hazard Elimination by horizontal sawing **Note: See Special Provisions for Other Items Included In the EA. Price**		EA	60.00	0.00

SUB-TOTAL: 0.00
E&I @16% 0.00

TOTAL: $0.00

Revised: 02-13-04

BID

PROJECT: SIDEWALK TRIP HAZARD ELIMINATION

RES. NO.: 7257 -09

DATE:

W.O. NO.: 12163

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Sidewalk Trip Hazard Elimination by horizontal sawing Note: See Special Provisions for Other Items Included In the EA. Price	xxxxx	EA		

TOTAL:

CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY, AT UNIT PRICE BID.
ALL WORK MUST BE COMPLETED BY: November 25,2009
NOTE:ANY FORM OF CORRECTION WITHIN THE AREA OF UNIT PRICES,
EXTENSIONS, OR TOTAL ON THIS BID MUST BE INITIALED BY THE BIDDER AND
WILL BE NOTED AT THE TIME OF OPENING.

Contractors Signature

IMPROVEMENT RESOLUTION NO. 7258-09

MEDIANS GREENING PROJECT
WORK ORDER NO. 12108

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: That it is deemed necessary to improve the medians at the intersections of Fernhill Av. and Wells Street, Clinton St and Coldwater Rd., Clinton St. and Edgewood Av. and Fernhill Av. and Lima Rd by removing the existing asphalt and some conc. curbing and replacing with new curbing, topsoil, grass and some vegetation.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 30th day of September, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

BASE BID

CONTRACTOR: _____

RES. NO.: 7258-09
W.O. NO.: 12108

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete Curb (Undistributed)	275	LF		
2	Concrete Curb Type II-A (Includes Asph. Patching) (Undistributed)	274.5	LF		
3	Type "III" Barricade	2	EA		
4	Arrow Board	7	DAYS		
5	Mobilization & Demobilization	1	LS		
6	Maintenance of Traffic	1	LS		
7	Bed Coarse Material (Undistributed)	2	TON		
8	Common Excavation (Includes Asph. Islands, asph. curbs and all soils and subbase)	655	CY		
9	Type "A" Signs - Various Wording as determined by Traffic Engineering	12	EA		
10	2' Rain Garden Soil Fill - Installed	34	CY		
11	Hydroseeding, with Tack Additive, for Erosion and Sediment Control (Additive to be FINN Additve Sytem "E-Tack" or "Hydrostik" or approved equal)	346	SY		
12	Landscape Plants - 21 cu. In. Cont. Plants - Installed (Including "J" type Bolts)	2197	EA		
13	Inlet Protection Devises for Stormwater and Erosion Control ("Sediguard" inlet Protection Device or Approved Equal) - Undistributed	2	EA		
14	2' Planting Soil Fill (Installed)	370	CY		
15	Hardwood Mulch	14.5	CY		
16	Trees - 2" Caliper Gleditsia Triacanthos - Installed	3	EA		
17	Curb Cut - Installed	10	LF		
18	Temp. Sand Bags	10	LF		
19	Geojute Erosion Control Fabric	30	SF		
20					

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.
All work must be completed by : December 15, 2009
Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____
Contractors Signature

BID: ALTERNATE 1

CONTRACTOR: _____

RES. NO.: 7258-09
W.O. NO.: 12108

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete Curb (Undistributed)	25	LF		
2	Removal of Concrete Sidewalk and Ramps	24	SY		
3	Concrete Curb Type III (Includes Asph. Patching) (Undistributed)	25	LF		
4	Type "III" Barricade	2	EA		
5	Arrow Board	5	DAYS		
6	Mobilization & Demobilization	1	LS		
7	Maintenance of Traffic	1	LS		
8	Bed Coarse Material (Undistributed)	5	TON		
9	Common Excavation (Includes Asph. Islands, asph. curbs and all soils and subbase)	218	CY		
10	Type "A" Signs - Various Wording as determined by Traffic Engineering	12	EA		
11	Cement Concrete Walk (4")	14	SY		
12	Adjust Handhole Casting	1	EA		
13	Hydroseeding, with Tack Additive, for Erosion and Sediment Control (Additive to be FINN Additve Sytem "E-Tack" or "Hydrostik" or approved equal)	150	SY		
14	Concrete Pavement Removal Under Island (Undistributed)(Area under trees only)	267	SY		
15	Concrete Wingwalk and Curb Ramps	8	SY		
16	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'x4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	1	EA		
17	Inlet Protection Devises for Stormwater and Erosion Control ("Sediguard" inlet Protection Device or Approved Equal) - Undistributed	2	EA		
18	2' Planting Soil Fill (Installed)	290	CY		
19	Trees - 2" Caliper Gleditsia Triacanthos - Installed	2	EA		
20					

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.
All work must be completed by : December 15, 2009
Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____
Contractors Signature

BID: ALTERNATE 2

CONTRACTOR: _____

RES. NO.: 7258-09
W.O. NO.: 12108

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Grind Striping	110	LF		
2	Arrow, Left or Right, Thermoplastic, White	2	EA		
3	Removal of Concrete Center Curb (Median)	35	SY		
4	Removal of Concrete Curb	441	LF		
5	Concrete Curb Type II-A	63	LF		
6	Concrete /Asphalt Pavement Patching	80	SY		
7	Concrete Curb Type III	248	LF		
8	Type "III" Barricade	2	EA		
9	Arrow Board	7	DAYS		
10	Mobilization & Demobilization	1	LS		
11	Maintenance of Traffic	1	LS		
12	Bed Coarse Material (Undistributed)	2	TON		
13	Common Excavation (Includes Asph. Islands, asph. curbs and all soils and subbase)	214	CY		
14	Type "A" Signs - Various Wording as determined by Traffic Engineering	7	EA		
15	Hydroseeding, with Tack Additive, for Erosion and Sediment Control (Additive to be FINN Additve Sytem "E-Tack" or "Hydrostik" or approved equal)	203	SY		
16	Concrete Pavement Removal Under Island (Undistributed)(Area under trees only)	267	SY		
17	Inlet Protection Devises for Stormwater and Erosion Control ("Sediguard" inlet Protection Device or Approved Equal) - Undistributed	2	EA		
18	2' Planting Soil Fill (Installed)	320	CY		
19	Line, Paint, Solid & Broken, Yellow, 6"	420	LF		
20	Trees - 2" Caliper Gleditsia Triacanthos - Installed	4	EA		

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.
All work must be completed by : December 15, 2009
Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____
Contractors Signature

BID: ALTERNATE 3

CONTRACTOR: _____

RES. NO.: 7258-09
W.O. NO.: 12108

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	4' Concrete Center Curb Type "A" (Undistributed)	2	SY		
2	Removal of Concrete Center Curb (Median) (Undistributed)	2	SY		
3	Removal of Concrete Curb (Undistributed)	45	LF		
4	Concrete Curb Type II-A (Includes Asph. Patching) (Undistributed)	45	LF		
5	Inlet Protection Devises for Stormwater and Erosion Control ("Sediguard" inlet Protection Device or Approved Equal) - Undistributed	2	EA		
6	2' Planting Soil Fill (Installed)	80	CY		
7	Type "III" Barricade	2	EA		
8	Arrow Board	7	DAYS		
9	Mobilization & Demobilization	1	LS		
10	Maintenance of Traffic	1	LS		
11	Bed Coarse Material (Undistributed)	2	TON		
12	Common Excavation (Includes Asph. Islands, asph. curbs and all soils and subbase)	67	CY		
13	Type "A" Signs - Various Wording as determined by Traffic Engineering	12	EA		
14					

TOTAL: _____

Note: Contractor will be paid on measured quanities only at unit price bid.
All work must be completed by : December 15, 2009
Any form of correction within the area of unit prices, extensions, or total on this bid must be initialed by the bidder and will be noted at the time of opening.

_____
Contractors Signature

ESTIMATE OF QUANTITIES

PROJECT: Medians Greening Project - Ferhill and Wells
DATE: 9/29/2009

RES. NO.: 7258-09
W.O. NO.: 12108

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete Curb (Undistributed)	275	LF	4.50	1237.50
2	Concrete Curb Type II-A (Includes Asph. Patching) (Undistributed)	274.5	LF	15.00	4117.50
3	Type "III" Barricade	2	EA	80.00	160.00
4	Arrow Board	7	DAYS	65.00	455.00
5	Mobilization & Demobilization	1	LS	2250.00	2250.00
6	Maintenance of Traffic	1	LS	2000.00	2000.00
7	Bed Coarse Material (Undistributed)	2	TON	14.00	28.00
8	Common Excavation (Includes Asph. Islands, asph. curbs and all soils and subbase)	655	CY	21.00	13755.00
9	Type "A" Signs - Various Wording as determined by Traffic Engineering	12	EA	50.00	600.00
10	2' Rain Garden Soil Fill - Installed	34	CY	23.00	782.00
11	Hydroseeding, with Tack Additive, for Erosion and Sediment Control (Additive to be FINN Additve Sytem "E-Tack" or "Hydrostik" or approved equal)	346	SY	2.00	692.00
12	Landscape Plants - 21 cu. In. Cont. Plants - Installed (Including "J" type Bolts)	2197	EA	4.50	9886.50
13	Inlet Protection Devises for Stormwater and Erosion Control ("Sediguard" inlet Protection Device or Approved Equal) - Undistributed	2	EA	45.00	90.00
14	2' Planting Soil Fill (Installed)	370	CY	14.00	5180.00
15	Hardwood Mulch	14.5	CY	70.00	1015.00
16	Trees - 2" Caliper Gleditsia Triacanthos - Installed	3	EA	450.00	1350.00
17	Curb Cut - Installed	10	LF	12.00	120.00
18	Temp. Sand Bags	10	LF	10.00	100.00
19	Geojute Erosion Control Fabric	30	SF	3.00	90.00
20					0.00

SUB-TOTAL:	43908.50
E&I @25%	10977.13
TOTAL:	**54885.63**

ESTIMATE OF QUANTITIES

PROJECT: Median Greening Project - Clinton & Coldwater - Alternate 1
DATE: 9/29/2009

RES. NO.: 7258-09
W.O. NO.: 12108

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete Curb (Undistributed)	25	LF	4.50	112.50
2	Removal of Concrete Sidewalk and Ramps	24	SY	7.00	168.00
3	Concrete Curb Type III (Includes Asph. Patching) (Undistributed)	25	LF	20.00	500.00
4	Type "III" Barricade	2	EA	80.00	160.00
5	Arrow Board	5	DAYS	65.00	325.00
6	Mobilization & Demobilization	1	LS	1100.00	1100.00
7	Maintenance of Traffic	1	LS	1000.00	1000.00
8	Bed Coarse Material (Undistributed)	5	TON	14.00	70.00
9	Common Excavation (Includes Asph. Islands, asph. curbs and all soils and subbase)	218	CY	21.00	4578.00
10	Type "A" Signs - Various Wording as determined by Traffic Engineering	12	EA	50.00	600.00
11	Cement Concrete Walk (4")	14	SY	29.00	406.00
12	Adjust Handhole Casting	1	EA	75.00	75.00
13	Hydroseeding, with Tack Additive, for Erosion and Sediment Control (Additive to be FINN Additve Sytem "E-Tack" or "Hydrostik" or approved equal)	150	SY	2.00	300.00
14	Concrete Pavement Removal Under Island (Undistributed)(Area under trees only)	267	SY	6.50	1735.50
15	Concrete Wingwalk and Curb Ramps	8	SY	35.00	280.00
16	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'x4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	1	EA	150.00	150.00
17	Inlet Protection Devises for Stormwater and Erosion Control ("Sediguard" inlet Protection Device or Approved Equal) - Undistributed	2	EA	45.00	90.00
18	2' Planting Soil Fill (Installed)	290	CY	14.00	4060.00
19	Trees - 2" Caliper Gleditsia Triacanthos - Installed	2	EA	450.00	900.00
20					

SUB-TOTAL:	16610.00
E&I @25%	4152.50
TOTAL:	**20762.50**

ESTIMATE OF QUANTITIES

PROJECT: Median Greening Project - Clinton & Coldwater - Alternate 1 **RES. NO.: 7258-09**
W.O. NO.: 12108
DATE: 9/29/2009

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Removal of Concrete Curb (Undistributed)	25	LF	4.50	112.50
2	Removal of Concrete Sidewalk and Ramps	24	SY	7.00	168.00
3	Concrete Curb Type III (Includes Asph. Patching) (Undistributed)	25	LF	20.00	500.00
4	Type "III" Barricade	2	EA	80.00	160.00
5	Arrow Board	5	DAYS	65.00	325.00
6	Mobilization & Demobilization	1	LS	1100.00	1100.00
7	Maintenance of Traffic	1	LS	1000.00	1000.00
8	Bed Coarse Material (Undistributed)	5	TON	14.00	70.00
9	Common Excavation (Includes Asph. Islands, asph. curbs and all soils and subbase)	218	CY	21.00	4578.00
10	Type "A" Signs - Various Wording as determined by Traffic Engineering	12	EA	50.00	600.00
11	Cement Concrete Walk (4")	14	SY	29.00	406.00
12	Adjust Handhole Casting	1	EA	75.00	75.00
13	Hydroseeding, with Tack Additive, for Erosion and Sediment Control (Additive to be FINN Additve Sytem "E-Tack" or "Hydrostik" or approved equal)	150	SY	2.00	300.00
14	Concrete Pavement Removal Under Island (Undistributed)(Area under trees only)	267	SY	6.50	1735.50
15	Concrete Wingwalk and Curb Ramps	8	SY	35.00	280.00
16	ADA Solutions, Armor-Tile or Approved Equal Replaceable 2'x4' Composite Wetset Tactile Warning Surface Units (Brick Red in Color)	1	EA	150.00	150.00
17	Inlet Protection Devises for Stormwater and Erosion Control ("Sediguard" inlet Protection Device or Approved Equal) - Undistributed	2	EA	45.00	90.00
18	2' Planting Soil Fill (Installed)	290	CY	14.00	4060.00
19	Trees - 2" Caliper Gleditsia Triacanthos - Installed	2	EA	450.00	900.00
20					

SUB-TOTAL:	16610.00
E&I @25%	4152.50
TOTAL:	**20762.50**

ESTIMATE OF QUANTITIES

PROJECT: Medians Greening Project - Clinton and Edgewood - Alternate 2 **RES. NO.: 7258-09**
DATE: 9/29/2009 **W.O. NO.: 12108**

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	Grind Striping	110	LF	0.25	27.50
2	Arrow, Left or Right, Thermoplastic, White	2	EA	150.00	300.00
3	Removal of Concrete Center Curb (Median)	35	SY	9.00	315.00
4	Removal of Concrete Curb	441	LF	4.50	1984.50
5	Concrete Curb Type II-A	63	LF	15.00	945.00
6	Concrete /Asphalt Pavement Patching	80	SY	45.00	3600.00
7	Concrete Curb Type III	248	LF	20.00	4960.00
8	Type "III" Barricade	2	EA	80.00	160.00
9	Arrow Board	7	DAYS	65.00	455.00
10	Mobilization & Demobilization	1	LS	1500.00	1500.00
11	Maintenance of Traffic	1	LS	1400.00	1400.00
12	Bed Coarse Material (Undistributed)	2	TON	12.00	24.00
13	Common Excavation (Includes Asph. Islands, asph. curbs and all soils and subbase)	214	CY	21.00	4494.00
14	Type "A" Signs - Various Wording as determined by Traffic Engineering	7	EA	50.00	350.00
15	Hydroseeding, with Tack Additive, for Erosion and Sediment Control (Additive to be FINN Additve Sytem "E-Tack" or "Hydrostik" or approved equal)	203	SY	2.00	406.00
16	Concrete Pavement Removal Under Island (Undistributed)(Area under trees only)	267	SY	6.50	1735.50
17	Inlet Protection Devises for Stormwater and Erosion Control ("Sediguard" inlet Protection Device or Approved Equal) - Undistributed	2	EA	45.00	90.00
18	2' Planting Soil Fill (Installed)	320	CY	14.00	4480.00
19	Line, Paint, Solid & Broken, Yellow, 6"	420	LF	2.00	840.00
20	Trees - 2" Caliper Gleditsia Triacanthos - Installed	4	EA	450.00	1800.00

SUB-TOTAL: 29866.50
E&I @25% 7466.63

TOTAL: 37333.13

ESTIMATE OF QUANTITIES

PROJECT: Medians Greening Project - Ferhill and Lima - Alternate 3 **RES. NO.: 7258-09**
DATE: 9/29/2009 **W.O. NO.: 12108**

ITEM NO.	ITEM	PLAN QTY	UNIT	UNIT COST ($)	AMOUNT ($)
1	4' Concrete Center Curb Type "A" (Undistributed)	2	SY	50.00	100.00
2	Removal of Concrete Center Curb (Median) (Undistributed)	2	SY	9.00	18.00
3	Removal of Concrete Curb (Undistributed)	45	LF	4.50	202.50
4	Concrete Curb Type II-A (Includes Asph. Patching) (Undistributed)	45	LF	15.00	675.00
5	Inlet Protection Devises for Stormwater and Erosion Control ("Sediguard" inlet Protection Device or Approved Equal) - Undistributed	2	EA	45.00	90.00
6	2' Planting Soil Fill (Installed)	80	CY	14.00	1120.00
7	Type "III" Barricade	2	EA	80.00	160.00
8	Arrow Board	7	DAYS	65.00	455.00
9	Mobilization & Demobilization	1	LS	550.00	550.00
10	Maintenance of Traffic	1	LS	500.00	500.00
11	Bed Coarse Material (Undistributed)	2	TON	14.00	28.00
12	Common Excavation (Includes Asph. Islands, asph. curbs and all soils and subbase)	67	CY	21.00	1407.00
13	Type "A" Signs - Various Wording as determined by Traffic Engineering	12	EA	50.00	600.00
14					
15					

SUB-TOTAL:	5905.50
E&I @25%	1476.38
TOTAL:	**7381.88**

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: September 28, 2009

RE: Sewer SRF (STATE REVOLVING FUNDS) – **2009 ARRA**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$26,739.00.** These payments will be made with the 2009 Sewage Works State Revolving Fund Loan Program. These expenses are for the Woodrow & Vance Partial Sewer Separation project and the Smith – Roosevelt Drainage Improvement project.

Draw #5	R W Armstrong	$26,306.00
Draw #6	Burgess & Niple	433.00
	Total Payments	**$26,739.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

October 14, 2009
Date

Real Time Monitoring of City Utilities Operational Facilities

RESOLUTION NO. 2269-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of network servers, installation of software and associated services as necessary to develop remote access and real time monitoring of City Utilities Water, Sewer, and Stormwater operational facilities.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "Real Time Monitoring for CU Operations".

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Water and Sewer Utility Revenue.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will not be acquiring any property with this project.

States there are no cost associated with the purchase of any land associated with this project.

Declares authorization for services to following vendors:

Industrial Network Systems	iHistorian software & services	$114,515.60
Dell, Inc.	Servers	$25,649.36
CDW, Inc.	Firewall	$899.98
Atos Origin	Servers & Networks	$19,430.00

Declares the engineer's estimate of the project's total cost is $170,000.00

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 14th DAY OF October, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: John Suarez
John Suarez, Member

BY: Kumar Menon
Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

IMPROVEMENT RESOLUTION NO. 7073-09

Ardmore Avenue: Taylor Street to Jefferson Boulevard
Clearing of Right-of-Way
WORK ORDER NO. 11911

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve: Ardmore Ave between Taylor St. and Jefferson Blvd. by clearing the public right-of-way of trees to ready site for utility relocations.

All in accordance with the details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne.

Adopted this 14th day of October, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

RESOLUTION RATIFYING THE REJECTION OF ALL PROPOSALS AND CANCELLATION OF REQUEST FOR PROPOSAL (RFP) FOR RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL/RESIDENTIAL RECYCLING COLLECTION AS DISTRIBUTED ON JULY 6, 2009 AND RECEIVED ON SEPTEMBER 15, 2009 BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA

RESOLUTION #96-10-21-09-1

WHEREAS, On July 6, 2009. the City of Fort Wayne, Indiana, Board of Public Works issued a Request for Proposals (RFP) for Residential Solid Waste Collection and Disposal Residential Recycling Collection, and

WHEREAS, The City received several responses to the RFP prior to the submission deadline of September 15, 2009; and

WHEREAS, The City has determined that a one-year extension of the existing contract for the provision of the services that are the subject of the RFP is a more appropriate and cost-effective alternative at this time, and that, therefore, all proposals received in response to the RFP should be rejected and that the RFP should be cancelled pursuant to I.C. 5-22-18-2 and Section 1.2 of the Proposal (Right of Rejection), and

WHEREAS, The Purchasing Director of the City of Fort Wayne, Indiana, has notified all vendors that submitted responses to the RFP of the City's determination to reject all proposals and cancel the RFP in its entirety in a letter to them dated October 7, 2009.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to ratify the rejection of all proposals and cancellation of the RFP as described above.

Signed this 21st day of October, 2009.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

For File ONLY.
Not For Public
View

MEMORANDUM

To: Jim Howard, Director of Purchasing
From: Scott Chinn, Baker & Daniels LLP
Date: October 13, 2009
Re: Solid Waste Contract/Special Purchase
Cc: Tim Haffner, Carol Taylor

The City is a party to an agreement with National Serv-All known as "Collection, Transportation, and Disposal of Solid Waste in Corporation Limits of Fort Wayne, Indiana", which was entered into on June 8, 2005, as amended on June 21, 2005 ("Contract"). You have asked us to determine whether the renewal of the Contract is supportable not only by its terms, but under the special purchase requirements of IC § 5-22-10-4.

To address your request, we have reviewed the Contract, Indiana statutes and case law, and various additional issues and documents in connection with the City's Request For Proposals (RFP) for "Residential Solid Waste Collection and Disposal/Residential Recycling Collection" issued in July 2009. Specifically, we understand that the following facts have informed the City's decision to renew the Contract:

1. The initial term of the Contract is set to expire on December 31, 2009.
2. The City, by and through its Board of Public Works, issued the RFP in an effort to obtain competitive proposals from potential proposers with expertise in the field of solid waste collection, hauling, disposal and recycling for a new agreement to replace the Contract. The goal was to get the best service at the lowest cost for City residents.
3. In response to the RFP, the City received five proposals, which it evaluated under the criteria provided in the RFP.
4. Of those five proposers, the City determined that the Earth First was the lowest responsive proposer.
5. As the City has reviewed the RFP responses and determined whether to award a contract to one or more of the proposers, parties have inquired whether the RFP process used to solicit proposals was the appropriate legal process to award such a contract.
6. IC § 36-9-30-5(d) provides as follows: "If a contract executed under subsection (a) or (b) will yield a gross revenue to a contractor (other than a governmental entity) of at least twenty-five thousand dollars ($25,000) during the time it is in effect, then the unit must comply with IC 36-1-12-4 in awarding the contract. The unit shall require the bidder to submit a financial statement, a statement of experience, the bidder's proposed plan or plans for performing the contract, and the equipment that the bidder has available for the performance of the contract. The statement shall be submitted on forms prescribed by the state board of accounts. IC 36-1-12-4(b)(6) does not apply to this subsection."

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7. IC § 36-1-12-4(b)(8) provides as follows: "Except as provided in subsection (c), the board shall: (A) award the contract for public work or improvements to the lowest responsible and responsive bidder; or (B) reject all bids submitted."
8. Because the City could have determined to award the contract to the lowest responsive and responsible proposer even under its RFP process, it is not clear that the RFP process was necessarily invalid. But that concern remains.
9. During the City's review of the RFP responses, National Serv-All inquired regarding the City's interest in renewing the Contract. The Contract provides that the initial term may be extended for up to two additional periods.
10. Additional legal questions have arisen whether the Contract may be extended if, like the RFP process here, it was not based on the procedures of IC § 36-9-30-5(d) and IC 36-1-12-4.
11. Taking into account all facts and circumstances, the City determined it was in the best interests of residents to reject all the proposals received pursuant to the RFP and to cancel the RFP process. That rejection and cancellation is provided for under IC 5-22-18-2. The City's Director of Purchasing sent a letter to the proposers to that effect on October 13, 2009. That letter provides in pertinent part that the "City has determined that renewal of the existing contract for the provision of these services is a more appropriate and cost-effective alternative available at this time."

The City has entered into an agreement to extend the Contract with National Serv-All for one year ("Extension Agreement"). Paragraphs 6 and 10, respectively, of the Extension Agreement contain the following provisions relevant to the question presented here:

> The City has further determined that it is in the City's best interests to engage in a new competitive bidding process in 2010 ("2010 Process") following (a) a comprehensive review of its solid waste operations; (b) the receipt of public input regarding solid waste operations at public meetings throughout the City; and (c) the development of updated bid specifications and contract terms for the 2010 Process that are consistent with best practices for municipal procurement of such services throughout the country. The City will retain persons or entities with noted expertise in solid waste contracting to advise and assist it in performing these activities. Following the completion of these activities, the City will issue the invitation for bids under the 2010 Process on or after July 1, 2010.
>
> * * * * *
>
> To the extent necessary, the City also enters into this Extension Agreement based on the provisions of IC § 5-22-10-4 and makes the following findings: (a) the collection, transportation, disposal and recycling of solid waste is an essential public service and any disruption of that essential service would constitute a threat to public health, welfare and safety; and (b) the City has reviewed the proposals received in the 2009 Process and finds that extension of the Contract as provided herein would represent the most competitive option for the term of the Extension Agreement; and (c) the term of the Extension Agreement is not longer than

reasonably necessary to conduct the 2010 Process and to complete the activities leading up to it.

We are not aware of authoritative case law that would render the Extension Agreement invalid. It has been relied upon by both contacting parties for nearly four years without challenge to its terms or the process used to support its award. However, we believe that even if the Extension Agreement were not valid under the Contract's renewal provision, the Extension Agreement is properly based on IC § 5-22-10-4 under these circumstances. We reach that conclusion for the following reasons:

1. IC § 5-22-10-4(a) provides that a "purchasing agent may make a special purchase when there exists, under emergency conditions, a threat to public health, welfare, or safety."
2. Because the Contract is expiring at the end of 2009, and because the City made the decision to cancel the RFP process in its lawful discretion, there is insufficient time to carry out a new competitive procurement without either extending the Contract or making a new contract.
3. There can be no reasonable argument that it is not essential to public health, safety and welfare that solid waste collection, transportation, disposal and recycling services continue without disruption.
4. Indeed, the City, in a contract requiring Board of Public Works approval, has made that finding of emergency.
5. In making the decision to extend the Contract, the City also has prudently resolved to engage in a new competitive bidding process in 2010 under IC § 36-9-30-5(d) and IC 36-1-12-4. That process will follow several pro-competitive activities to be conducted in the first half of 2010. Thus, the one-year extension of the Contract is not longer than necessary to accomplish the City's competitive goals while not compromising the public health, safety and welfare.
6. Moreover, in light of the fact that the City conducted in 2009 an RFP process on the very subject matter involved in a special purchase under these circumstances (*i.e.*, the Extension Agreement), the City has reviewed proposals that support its belief that the terms and conditions of the special purchase are reasonable. *See* IC § 5-22-10-2 (requiring that a "special purchase must be made with competition as is practicable under the circumstances").[1] And, in any event, since National Serv-

[1] The question has been raised whether IC §5-22-10-4 is the proper emergency provision for the City to utilize in these circumstances. The City's decision in this regard is supportable for three reasons. First, a statute in the same chapter as IC § 36-1-12-4 provides that the "board, upon a declaration of emergency, may contract for a public work project without advertising for bids if bids or quotes are invited from at least two (2) persons known to deal in the public work required to be done." *See* IC § 36-1-12-9. But it is not clear that IC § 36-1-12-9 applies to competitive bidding of solid waste contracts as opposed to public works contracts, since under IC § 36-9-30-5(d) the City is expressly required to follow the bidding provisions of IC § 36-1-12-4 – not the remainder of that chapter. Second, IC 5-22-1-2(13) provides that the purchasing statutes in IC 5-22 do not apply to a "municipality for the operation of municipal facilities used for the collection . . . and disposal in a sanitary manner of . . .solid waste. . . ." But even if that exception applies

All has agreed to perform the one-year Extension Agreement under the same terms and conditions of the Contract and at rates frozen at 2009 levels, there can be little doubt of that reasonableness.

In summary, we conclude that while the Extension Agreement is likely a valid renewal of the Contract, even if it were determined to be invalid, the City has properly utilized IC §5-22-10-4 to support the execution of the Extension Agreement under these circumstances.

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to the contract at issue here, to say that the City is not *required* to follow the provisions of IC 5-22 is not to say that it is *prohibited* from following provisions of IC 5-22 in appropriate circumstances, especially where to do so provides standards and limits that discourage arbitrary action and encourage competition. Finally, as discussed above, the City has in effect received more than two quotes when one takes into account the proposals received in the RFP process – compared to which the Extension Agreement has the lowest cost.

EXTENSION AGREEMENT

This agreement to extend the provision of certain contractual services in connection with solid waste operations ("Extension Agreement") is made by and between the City of Fort Wayne, Indiana ("City") and National Serv-All ("Contractor") on this 21 day of October, 2009.

RECITALS

1. The City and Contractor are presently parties to a contract known as "Collection, Transportation, and Disposal of Solid Waste in Corporation Limits of Fort Wayne, Indiana" entered into on June 8, 2005, as amended on June 21, 2005 ("Contract").

2. The Contract provides that Contractor shall provide to the City various services in connection with solid waste collection, transportation, disposal and recycling for a term of four (4) years commencing on January 1, 2006. The initial term of the Contract is set to expire on December 31, 2009.

3. The Contract provides that at the City's option, the term may be extended for up to two additional periods that together would not exceed the length of the four-year initial term.

4. In 2009, the City conducted a procurement process to determine interest and receive proposals for a new contract to provide the services presently provided by Contractor under the Contract ("2009 Process").

5. After reviewing the proposals, the City has determined it is in the best interests of the City to reject all proposals received, including the proposal made by Contractor, and to cancel the request for proposal process as permitted by law.

6. The City has further determined that it is in the City's best interests to engage in a new competitive bidding process in 2010 ("2010 Process") following (a) a comprehensive review of its solid waste operations; (b) the receipt of public input regarding solid waste operations at public meetings throughout the City; and (c) the development of updated bid specifications and contract terms for the 2010 Process that are consistent with best practices for municipal procurement of such services throughout the country. The City will retain persons or entities with noted expertise in solid waste contracting to advise and assist it in performing these activities. Following the completion of these activities, the City will issue the invitation for bids under the 2010 Process on or after July 1, 2010.

7. To facilitate the 2010 Process, the City has resolved to enter into this Extension Agreement with Contractor for a period of one (1) year.

AGREEMENT

8. The Contract is hereby extended pursuant to its provisions for an additional term of one (1) year to commence on January 1, 2010, and to terminate on December 31, 2010 ("Extended Term").

9. All the terms and conditions of the Contract shall be in force and effect throughout the Extended Term, except as otherwise specifically provided in this Extension Agreement.

10. To the extent necessary, the City also enters into this Extension Agreement based on the provisions of IC § 5-22-10-4 and makes the following findings: (a) the collection, transportation, disposal and recycling of solid waste is an essential public service and any disruption of that essential service would constitute a threat to public health, welfare and safety; and (b) the City has reviewed the proposals received in the 2009 Process and finds that extension of the Contract as provided herein would represent the most competitive option for the term of the Extension Agreement; and (c) the term of the Extension Agreement is not longer than reasonably necessary to conduct the 2010 Process and to complete the activities leading up to it.

11. The rates for services provided in the Contract shall be frozen at their 2009 levels during the Extended Term without adjustment.

12. Representatives of the City and Contractor will meet monthly to monitor performance under the Extension Agreement.

13. Contractor agrees to cooperate with the City as it conducts the 2010 Process and performs the related preparatory activities.

14. This Extension Agreement shall be considered binding and obligatory only when approved by the Board of Public Works.

[THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]

In witness whereof, the City and Contractor by their duly authorized representatives hereby affix their signatures and seals hereto at Fort Wayne, Indiana, as of this 14 day of October 2009.

CITY OF FORT WAYNE, INDIANA

BY: _____
Bob Kennedy, Director of Public Works

REPUBLIC SERVICES OF INDIANA LIMITED PARTNERSHIP d/b/a NATIONAL SERV-ALL

BY: _____
Kevin Walbridge, Senior Vice President

(SEAL)

ATTEST: _____

Printed Name: SHELLY O'NEILL

Approved:

CITY OF FORT WAYNE, INDIANA
By its Board of Public Works:

_____
Regina A. Kostoff, Chair

_____
John Suarez, Member

_____
Kumar Menon, Member

October 14, 2009
Date

Attest:

_____
Marilyn Huth, Clerk

10

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE ME, a Notary Public, in and for said County and State, this 14th day of October, 2009 personally appeared the within named **Thomas C. Henry, Regina A. Kostoff, Kumar Menon, John Suarez,** and **Marilyn Huth** by me personally known, who being by me duly sworn said that they are respectively the **Mayor, Chair, Members and Clerk of the Board of Public Works** of the **City of Fort Wayne, Indiana,** and that they signed said instrument on behalf of the City of Fort Wayne, Indiana, with full authority so to do and acknowledge said instrument to be in the voluntary act and deed of said **City** for the uses and purposes therein set forth.

IN WITNESS WHEREOF, hereunto subscribed my name, affixed my official seal.

Michelle R. Nelson

Notary Public

Michelle R. Nelson

Printed Name of Notary

My Commission Expires:

Resident of _____ County.

RESOLUTION RATIFYING THE REJECTION OF ALL PROPOSALS AND CANCELLATION OF REQUEST FOR PROPOSAL (RFP) FOR RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL/RESIDENTIAL RECYCLING COLLECTION AS DISTRIBUTED ON JULY 6, 2009 AND RECEIVED ON SEPTEMBER 15, 2009 BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA

RESOLUTION #96-10-21-09-1

WHEREAS, On July 6, 2009. the City of Fort Wayne, Indiana, Board of Public Works issued a Request for Proposals (RFP) for Residential Solid Waste Collection and Disposal Residential Recycling Collection, and

WHEREAS, The City received several responses to the RFP prior to the submission deadline of September 15, 2009; and

WHEREAS, The City has determined that a one-year extension of the existing contract for the provision of the services that are the subject of the RFP is a more appropriate and cost-effective alternative at this time, and that, therefore, all proposals received in response to the RFP should be rejected and that the RFP should be cancelled pursuant to I.C. 5-22-18-2 and Section 1.2 of the Proposal (Right of Rejection), and

WHEREAS, The Purchasing Director of the City of Fort Wayne, Indiana, has notified all vendors that submitted responses to the RFP of the City's determination to reject all proposals and cancel the RFP in its entirety in a letter to them dated October 7, 2009.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to ratify the rejection of all proposals and cancellation of the RFP as described above.

Signed this 21st day of October, 2009.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

WPCP Digester Gas Handling Improvements
RESOLUTION NO. 2187-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

> Orders the Construction of improvements to the existing digester gas handling system including provision of a new digester gas piping and valve system, new combination pressure relief/vacuum breaker safety valves on existing digester covers, new condensate/sediment traps, and other digester gas handling components. Construction will also include removal of existing digester gas system piping, valves, and equipment. Construction will require shutdown and tie-in to the existing digester gas handling system. Construction will include mechanical work and some electrical and instrumentation and control work.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "Water Pollution Control Plant Digester Gas Handling Improvements" prepared by Donohue & Associates, Inc. for the City of Fort Wayne.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associate with this project.

Declares the engineer's estimate of the project's total cost is $740,402.

APPROVED THIS 21st DAY OF October, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

BID FORM FOR SALE OF
(2425 John Street)

To: Fort Wayne Board of Public Works
One East Main Street
Room 420 City-County Building
Fort Wayne, Indiana 46802

The undersigned hereby offers to purchase for the sum of $ 1,500 in accordance with the Paragraphs below, the real estate (vacant lot) located at 2425 John Street, the legal description of which is N 34 2/3 Lot 8 JT Hannas Sub Add Replat S Hanna OL 11, Wayne Township, Allen County, Indiana.

1) PURCHASE PRICE
The entire purchase price shall be paid in cash, cashiers check or money order.

2) In submitting his/her bid, bidder represents that this bid is genuine and not made in interest of or on behalf of any undisclosed person, firm, or corporation, and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation: bidder has not directly or indirectly induced or solicited any other bidder to submit a false or sham bid: bidder has not solicited or induced any person, firm, or corporation to refrain from bidding: and bidder has not sought collusion to obtain for himself/herself any advantage over any other bidder or over owner.

3) The Real Estate, its improvements, fixtures and utility systems, and any personal property included in this sale are being sold in "AS IS" condition, without warranty of any kind from Seller, either express or implied.

4) Survey will be provided by seller at buyer's expense.

5) Title insurance will be provided by seller at buyer's expense.

6) Buyer is responsible for closing costs, including recording fees; and advertising costs.

IN WITNESS WHEREOF, the undersigned has subscribed his/her name this 27 **day of** Oct, **2009.**

Bessie Lapsley
Signature

Bessie Lapsley
Printed Name

GENERAL CIPP 2009 – PACKAGE # 3
RESOLUTION NO. 2110-2008

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Rehabilitation of sanitary sewer lines by means of cured-in-place pipe (CIPP). This project is a small diameter lining package with sizes ranging from 8" to 15". There is approximately 7,970 feet that shall be lined. The purpose of this project is to provide protection to the City's collection system located in the area of State Road 3's expansion.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, General CIPP 2009 – Package #3.

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

States there are no cost associated with the purchase of any land associated with this project.

Declares the engineer's estimate of the project's total cost is $ $300,305.96.

APPROVED THIS 18th DAY OF October, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: October 28, 2009

RE: 2009 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $86,292.06 to be paid from the proceeds of the 2009 Passenger Vehicle Lease Financing which are held in an escrow at SunTrust Bank.

Payment Request #9

Barney's Auto Electric	74,911.56
Hoosier Trailer & Truck Equipment	9,865.50
American Aluminum Accessories, Inc.	1,515.00
Total for Payment Request	**$ 86,292.06**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

October 28 2009

Date

BID FORM FOR SALE OF
(2425 John Street)

To: Fort Wayne Board of Public Works
One East Main Street
Room 420 City-County Building
Fort Wayne, Indiana 46802

The undersigned hereby offers to purchase for the sum of $ $500.00 in accordance with the Paragraphs below, the real estate (vacant lot) located at 2425 John Street, the legal description of which is N 34 2/3 Lot 8 JT Hannas Sub Add Replat S Hanna OL 11, Wayne Township, Allen County, Indiana.

1) PURCHASE PRICE
The entire purchase price shall be paid in cash, cashiers check or money order.

2) In submitting his/her bid, bidder represents that this bid is genuine and not made in interest of or on behalf of any undisclosed person, firm, or corporation, and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation: bidder has not directly or indirectly induced or solicited any other bidder to submit a false or sham bid: bidder has not solicited or induced any person, firm, or corporation to refrain from bidding: and bidder has not sought collusion to obtain for himself/herself any advantage over any other bidder or over owner.

3) The Real Estate, its improvements, fixtures and utility systems, and any personal property included in this sale are being sold in "AS IS" condition, without warranty of any kind from Seller, either express or implied.

4) Survey will be provided by seller at buyer's expense.

5) Title insurance will be provided by seller at buyer's expense.

6) Buyer is responsible for closing costs, including recording fees; and advertising costs.

IN WITNESS WHEREOF, the undersigned has subscribed his/her name this 1st **day of** November **2009.**

Pecola A. Smith-Trice

Signature

Pecola A. Smith-Trice

Printed Name

TRANSFER OF SANITARY SEWER OWNERSHIP
SOUTHEAST QUADRANT OF DUPONT AND AUBURN ROADS

Board of Public Works Resolution 96-11-4-09-2

Cross Reference to Document 207011561

THIS TRANSFER OF SANITARY SEWER OWNERSHIP ("Transfer") is executed this 4th day of November, 2009, by and between W & S Properties, LLC, an Indiana limited liability company, and the City of Fort Wayne Board of Public Works ("City").

RECITALS

A. W & S Properties, LLC, is the owner ("Owner") of a parcel of land located in the City of Fort Wayne, Indiana, recorded at Document 207011561 in the office of the Recorder of Allen County, Indiana ("Real Estate"), on which is located the existing City of Fort Wayne public sanitary sewer facilities described in the attached Exhibit A.

B. Owner is the sole customer connected to a section of the sanitary sewer facilities described in the attached Exhibit A, and is willing to accept ownership of, and to operate and maintain that section of sanitary sewer facilities subject to the terms of this Transfer.

C. City has no future plans to extend the sewer facilities to serve other customers, no longer requires and is willing to transfer to Owner City's ownership, operation and maintenance responsibilities for the sanitary sewer facilities described in Exhibit A subject to the terms of this Transfer.

TRANSFER OF OWNERSHIP

1. City hereby transfers ownership, operation and maintenance responsibilities to Owner for the sanitary sewer pipe and related structures described in the attached Exhibit A.

2. City hereby reclassifies the sanitary sewer facilities transferred in the preceding paragraph 1 as a private sanitary sewer which City will not own, operate, maintain, replace or remove, nor be responsible for any costs associated therewith.

3. Owner is permitted to maintain its existing connection to the private sanitary sewer, but shall not otherwise use or permit the use of the private sanitary sewer without City's prior approval.

[Continued on following page]

IN WITNESS WHEREOF, Owner and City have executed this Transfer of Sanitary Sewer Ownership as of the date set forth above.

W & S PROPERTIES, LLC, AN INDIANA LIMITED LIABILITY COMPANY

By: Barry Sturges
Barry Sturges, Manager

ACKNOWLEDGEMENT

STATE OF Indiana)
) **SS**
COUNTY OF Allen)

Before me, a Notary Public, in and for said State and County, personally appeared the within named W & S Properties, LLC, an Indiana limited liability company, by Barry Sturges, Manager, "Owner" herein, who being first duly sworn upon his oath states that he is the owner or authorized representative of the owner of the subject real estate described herein, and as such duly authorized to execute the foregoing Transfer of Sanitary Sewer Ownership, and acknowledged the same as his voluntary act and deed.

WITNESS my hand and seal this 15th day of October, 2009.

My Commission Expires: 12/13/09

Resident of Allen County

Angela M. Davis
Signature of Notary Public

Angela M. Davis
Printed Name

[Signatures continue on following page]

CITY OF FORT WAYNE BOARD OF PUBLIC WORKS

By: _____
Regina A. Kostoff, Chair

By: _____
John Suarez, Member

By: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a notary public in and for said State and County, personally appeared the within named Regina A. Kostoff, John Suarez and Kumar Menon as Members of the City of Fort Wayne Board of Public Works, "City" herein, and Marilyn Huth, Clerk of the Board, and acknowledged the execution of the foregoing Transfer of Sanitary Sewer Ownership as their voluntary act and deed.

WITNESS my hand and seal this 4th day of November, 2009.

My Commission Expires: _____

Resident of _____ County

_____
Signature of Notary Public

Michelle R. Nelson
Printed Name

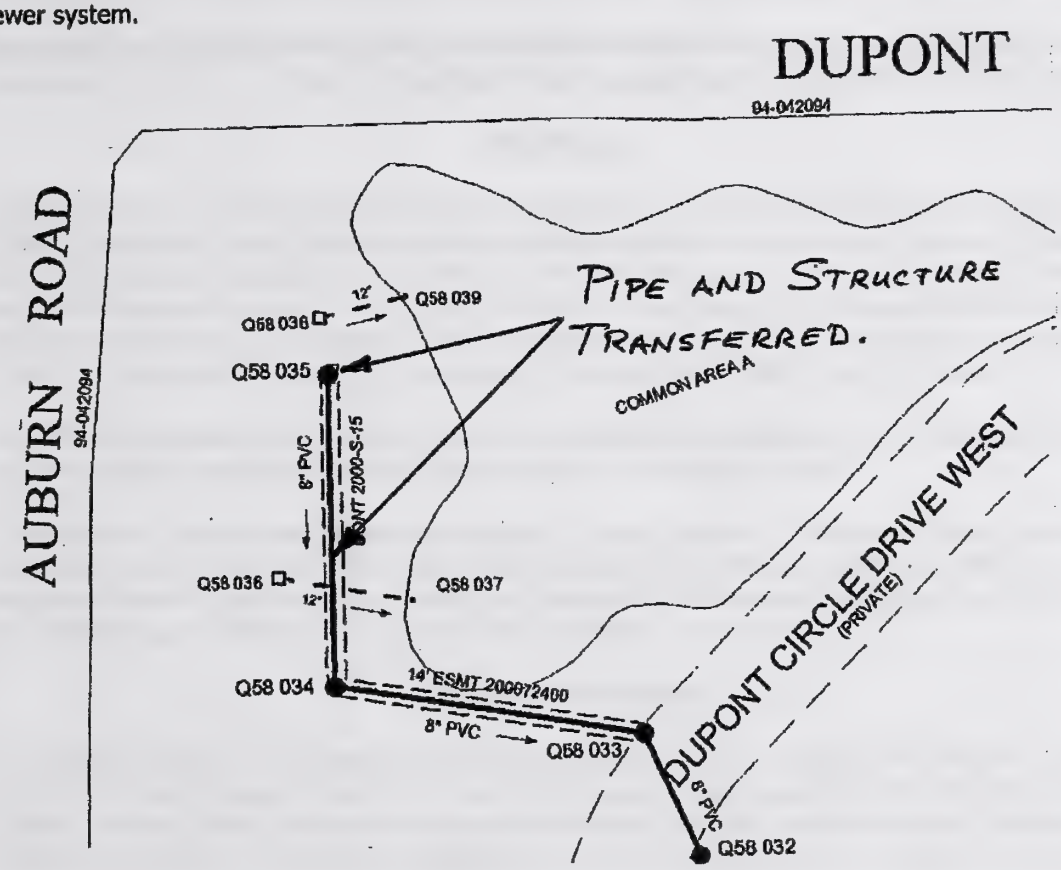
I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Cecilia E. Case, Associate City Attorney.

This instrument prepared by Cecilia E. Case, Associate City Attorney, Indiana License 18976-02.

EXHIBIT A

A part of the City of Fort Wayne's sanitary sewer facilities, including certain pipes and related structures shown on City of Fort Wayne quarter section map Q58 and described as follows:

An 8 inch diameter sanitary sewer pipe beginning at structure Q58-034 and running northerly to and including structure Q58-035, as shown in the diagram below; but excluding structure Q58-034, the ownership of which is not included in this Transfer and shall remain a part of the City's public sanitary sewer system.



PARTIAL RELEASE OF SANITARY SEWER EASEMENT
SOUTHEAST QUADRANT OF DUPONT AND AUBURN ROADS

Board of Public Works Resolution 96-11-4-09-1

Cross Reference to Documents 200072400 and 207011561

THIS PARTIAL RELEASE OF SANITARY SEWER EASEMENT is executed this 4th day of November, 2009, by the City of Fort Wayne Board of Public Works ("City"), to wit:

RECITALS

A. City obtained an easement through a Grant of Sanitary Sewer Easement recorded November 27, 2000, at Document 200072400 in the office of the Recorder of Allen County, Indiana ("Easement"), for the purpose of constructing, operating and maintaining public sanitary sewers, over and across certain real estate located in the City of Fort Wayne, Allen County, Indiana, currently owned by W & S Properties, LLC, an Indiana limited liability company ("W&S"), recorded on February 27, 2007, at Document 207011561 in the office of the Recorder of Allen County, Indiana.

B. A section of the sanitary sewer pipe, being 250± feet long, is located on the Real Estate and serves only structures owned by W&S that are also located on the Real Estate.

C. The section of sanitary sewer described above is the last section of the sanitary sewer main and will not be extended in the future to serve other buildings on adjoining property, and W&S has requested that City vacate the easement over the section of pipe and transfer responsibility to W&S for operation and maintenance of the section of sanitary sewer pipe.

RELEASE OF EASEMENT

1. City hereby releases and quitclaims to W & S Properties, LLC, an Indiana limited liability company, all right, title and interest in and to that part of a sanitary sewer easement described and shown on Exhibit A hereto, which City obtained through a Grant of Sanitary Sewer Easement recorded November 27, 2000, at Document 200072400 in the office of the Recorder of Allen County, Indiana.

2. City retains all other rights conveyed to it pursuant to said Grant of Sanitary Sewer Easement which are not specifically released herein, and all other terms and conditions of said Grant of Sanitary Sewer Easement which are not amended herein shall remain in full force and effect.

[Continued on following page]

IN WITNESS WHEREOF, the City of Fort Wayne Board of Public Works has executed this Partial Release of Sanitary Sewer Easement as of the date first set forth above.

By: _____
Regina A. Kostoff, Chair

By: _____
Kumar Menon, Member

By: _____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, a notary public in and for said State and County, personally appeared the within named Regina A. Kostoff, Kumar Menon and John Suarez as Members of the City of Fort Wayne Board of Public Works, "City" herein, and Marilyn Huth, Clerk of the Board, and acknowledged the execution of the foregoing Partial Release of Sanitary Sewer Easement as their voluntary act and deed.

WITNESS my hand and seal this 4th day of November, 2009.

My Commission Expires: _____

Resident of _____ County

_____
Signature of Notary Public

Michelle R. Nelson
Printed Name

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Cecilia E. Case, Associate City Attorney.

This instrument prepared by Cecilia E. Case, Associate City Attorney, Indiana License 18976-02.

EXHIBIT A (1 of 2)

KARST SURVEYING SERVICES, INC.

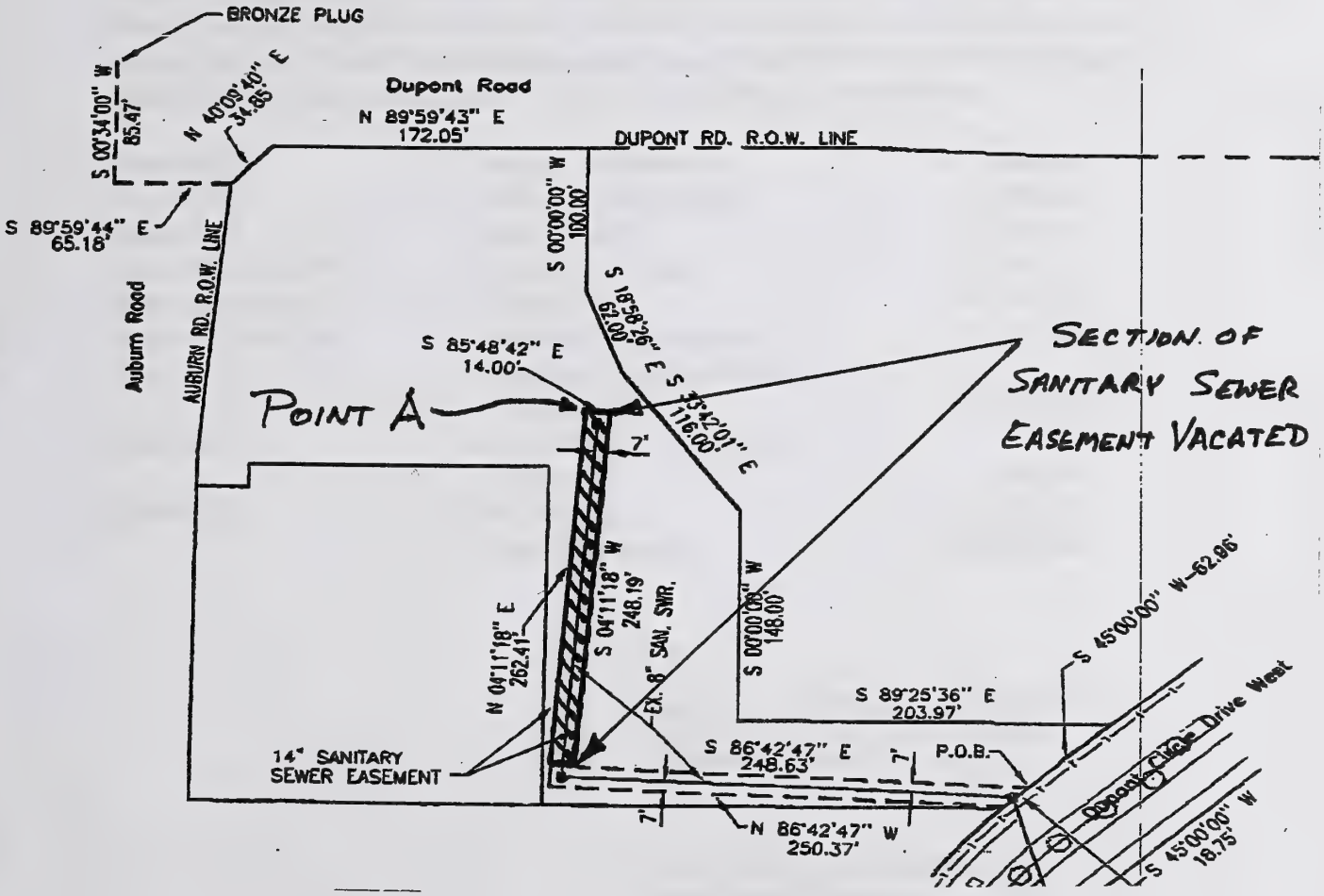
Vacated Easement Description
0.080 acres

Part of the Northeast Quarter of Section 6, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana more particularly described as follows:

Commencing at a bronze plug on the North line of said Northeast Quarter at the intersection of the centerline of Auburn Road with the centerline of Dupont Road, said point by deed being 1619.0 feet East of the Northwest corner of fractional section 6; thence South 00 degrees 34 minutes 00 seconds West (assumed bearing), a distance of 85.47 feet along the centerline of said Auburn Road; thence South 89 degrees 59 minutes 44 seconds East, a distance of 65.18 feet parallel with the North line of said Northeast Quarter and centerline of said Dupont Road to the point of intersection of the East right-of-way of said Auburn Road with the South right-of-way line of said Dupont Road; thence North 40 degrees 09 minutes 40 seconds East, a distance of 34.85 feet along the South right-of-way line of Dupont Road; thence North 89 degrees 59 minutes 43 seconds East, a distance of 172.05 feet continuing along said South right-of-way line to a 5/8" steel rebar set; thence South 00 degrees 00 minutes 00 seconds West, a distance of 100.00 feet to a 5/8" steel rebar set; thence South 18 degrees 58 minutes 26 seconds East, a distance of 62.00 feet to a 5/8" steel rebar set; thence South 33 degrees 42 minutes 01 seconds East, a distance of 116.00 feet to a 5/8" steel rebar set; thence South 00 degrees 00 minutes 00 seconds West, a distance of 148.00 feet; thence South 89 degrees 25 minutes 36 seconds East, a distance of 203.97 feet parallel with and 60.00 feet distant from the North line of an existing 2.640 acre tract to a 5/8" steel rebar set; thence South 45 degrees 00 minutes 00 seconds West, a distance of 81.71 feet to a South line of an existing sanitary sewer easement described in Document Number 200072400 in the Office of the Recorder of Allen County, Indiana; thence North 86 degrees 42 minutes 47 seconds West, a distance of 250.37 feet along said South line to the West line of said existing sanitary sewer easement; thence North 04 degrees 11 minutes 18 seconds East, a distance of 14.00 feet along said West line to the POINT OF BEGINNING of the herein described easement; thence continuing North 04 degrees 11 minutes 18 seconds East, a distance of 248.41 feet along said West line to the North most line of said existing sanitary sewer easement; thence South 85 degrees 48 minutes 42 seconds East, a distance of 14.00 feet along said North line to the East line of said existing sanitary sewer easement; thence South 04 degrees 11 minutes 18 seconds West, a distance of 248.19 feet along said East line; thence North 86 degrees 42 minutes 47 seconds West, a distance of 14.00 feet to the Point of Beginning. Containing 0.080 acres (3,476.168 square feet), more or less, subject to easements of record.

Date: August 3, 2009
Karst Surveying Services, Inc.

EXHIBIT A (2 of 2)



TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: November 2, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$731,341.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the Anthony Wayne Village/Mount Vernon Park Water Main Replacement, the St. Joe Dam Pump Station project, the 3RFP North Pump Building project, the Lime Sludge Pumping Ph 2 project, the 3RFP Filter Valve Replacement project, the 3RFP Plant North 3 Sludge Pumps Ph 2 project and the 3RFP West Reservoir Design Improvements.

Draw #271	Design Collaborative	$ 648.00
Draw #272	Black & Veatch Corp.	11,290.00
Draw #273	Bonar Group	9,828.00
Draw #274 & #275	Donohue & Assoc.	215,901.00
Draw #276 & #277	CH2M Hill	45,616.00
Draw #278 & #280	Weigand Construction Co.	73,701.00
Draw #279	Hagerman Construction and Tower Bank	364,754.00
Draw #281	City Utilities – City of Fort Wayne	1,000.00
Draw #282	HNTB Corp.	8,603.00
	Total Payments	**$731,341.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

November 18, 2009
Date

16

IMPROVEMENT RESOLUTION NO. #96-11-18-09-2

FIRE ACADEMY

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA.

That it is deemed necessary to improve the City's Fire Academy located at 2700 Dwenger Avenue including the installation of new handrails on the top floor of the structure, repairing the interior and exterior walls on all six (6) floors of the structure and cutting and replacing concrete floors for proper drainage on all six (6) floors of the structure.

All in accordance with the details, drawings, and specifications on file in the office of the Property Management Department and Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement.

Adopted this 18th day of November, 2009.

BOARD OF PUBLIC WORKS

Regina A. Kostoff

Regina A. Kostoff, Chair

John Suarez

John Suarez, Member

Kumar Menon, Member

ATTEST: Marilyn Huth

Marilyn Huth, Clerk

RESOLUTION NO. 96-12-02-09-2

RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, APPROVING THE FORM OF AN ORDINANCE OF THE COMMON COUNCIL OF CITY OF FORT WAYNE, INDIANA, SUPPLEMENTING AND AMENDING ORDINANCE NO. S-134-07 AUTHORIZING THE ACQUISITION BY THE CITY OF FORT WAYNE, INDIANA, OF CERTAIN IMPROVEMENTS AND EXTENSIONS TO THE CITY'S WATERWORKS, THE ISSUANCE AND SALE OF REVENUE BONDS TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS THEREOF, THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS, AND THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH WATERWORKS AND OTHER RELATED MATTERS

WHEREAS, the City of Fort Wayne, Indiana (the "City"), has previously established and constructed and now owns and operates by and through its Board of Public Works (the "Board") a waterworks furnishing the public supply of water to the City and its inhabitants (the "Waterworks") pursuant to Indiana Code 8-1.5, as amended (the "Act"); and

WHEREAS, the City, acting by and through the Board, has proceeded to acquire certain utility assets of Utility Center, Inc., now d/b/a Aqua Indiana, Inc., for the operation of the Waterworks (the "Project"); and

WHEREAS, in order to finance the cost of the Project, the Common Council of the City (the "Common Council"), has previously adopted Ordinance No. S-134-07 (the "Bond Ordinance") authorizing the issuance of waterworks utility revenue bonds and the issuance of bond anticipation notes in anticipation of the issuance of such bonds by the City to finance the cost of the acquisition of the Project; and

WHEREAS, the City has issued its Bond Anticipation Notes, Series 2009, on February 11, 2009, in an aggregate principal amount of $17,840,000 (the "2009 Notes"), which mature on February 11, 2010; and

WHEREAS, to provide for the refunding of the 2009 Notes by negotiated sale and to make certain other relevant changes to the Bond Ordinance, the Board has determined it is necessary to amend certain provisions of the Bond Ordinance; and

WHEREAS, a proposed form of an ordinance amending and supplementing the Bond Ordinance (the "Amending Ordinance") has been duly considered by the Board and found satisfactory, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Board now desires to approve the form of the Amending Ordinance and recommend its adoption to the Common Council of the City (the "Common Council");

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, as follows:

1. The Board hereby approves of the form of Amending Ordinance presented at this meeting.

2. The Secretary of the Board is hereby directed to present a copy of this Resolution and the proposed Amending Ordinance to the Clerk of the City for presentation to the Common Council as soon as may be done in the form presented to this meeting along with any changes which may be suggested by bond counsel or the financial adviser to the City.

3. This Resolution shall be in full force and effect from and after its adoption by the Board.

* * * * *

ADOPTED at a meeting of the Board of Public Works of the City of Fort Wayne, Indiana, held on December 2, 2009, at the City-County Building, Omni Room, Room 250, One Main Street, Fort Wayne, Indiana.

BOARD OF PUBLIC WORKS OF THE
CITY OF FORT WAYNE, INDIANA

Regina A. Kostoff, Chair

Kumar Menon, Member

John Suarez, Member

ATTEST:

Marilyn Huth, Clerk

EXHIBIT A

PROPOSED FORM OF AMENDING ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, SUPPLEMENTING AND AMENDING ORDINANCE NO. S-134-07 AUTHORIZING THE ACQUISITION BY THE CITY OF FORT WAYNE, INDIANA, OF CERTAIN IMPROVEMENTS AND EXTENSIONS TO THE CITY'S WATERWORKS, THE ISSUANCE AND SALE OF REVENUE BONDS TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS OF THEREOF, THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS, AND THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH WATERWORKS AND OTHER RELATED MATTERS

WHEREAS, the City of Fort Wayne, Indiana (the "City") has heretofore established and constructed and currently owns and operates a waterworks by and through its Board of Public Works (the "Board") for the provision of public water supply to the City and its inhabitants (the "Waterworks"), in accordance with the provisions of Indiana Code 8-1.5, as amended (the "Act"); and

WHEREAS, the Common Council (the "Common Council") of the City has previously adopted Ordinance No. S-134-07 (the "Bond Ordinance") authorizing the issuance of waterworks utility revenue bonds by the City to finance the cost of the acquisition of the Project (as defined in the Bond Ordinance); and

WHEREAS, the City had issued its Bond Anticipation Notes, Series 2009, on February 11, 2009, in an aggregate principal amount of $17,840,000, which mature on February 11, 2010 (the "2009 Notes"); and

WHEREAS, the Common Council desires to amend certain provisions of the Bond Ordinance by adopting this ordinance (the "Amending Ordinance") to (i) modify certain terms of the

Bond Ordinance; (ii) provide for the refunding of the 2009 Notes by negotiated sale; and (iii) make certain other amendments to the Bond Ordinance in connection therewith;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

Section 1. Section 3 of the Bond Ordinance is hereby amended as follows:

Section 3. The Bonds. In accordance with the Act and for the purpose of providing funds with which to pay the costs of the Project, together with all authorized costs relating thereto including the costs of issuance of the bonds on account thereof, and refunding the BANs, if any, described below, the City shall issue and sell its waterworks utility revenue bonds in an aggregate principal amount not to exceed Twenty-one Million Fifteen Thousand and 00/100 Dollars ($21,015,000.00) (the "Bonds"). The principal of and redemption premium, if any, and interest on the Bonds shall be payable solely out of the Waterworks Sinking Fund referred to below, on a parity with the Prior Bonds.

Any other provisions of this Ordinance to the contrary notwithstanding, the Bonds shall be issued on a parity with the Prior Bonds, and none of the provisions of this Ordinance shall be construed to affect the rights of the holders of the Prior Bonds. The Controller is authorized to employ the Financial Advisor, or any other certified public accountant or firm of certified public accountants to perform any and all computations necessary to confirm the preliminary evidence and findings demonstrating compliance with the conditions set forth in the Prior Ordinances for the issuance of additional revenue bonds on parity with the Prior Bonds. The City shall not issue the Bonds without first receiving a certificate from

the Financial Advisor or other certified public accountant or firm of certified public accountants in form and substance satisfactory to the Controller and Baker & Daniels LLP, Fort Wayne, Indiana, bond counsel for the City, and to the effect that the City and the Waterworks are in complete compliance with the conditions set forth in the Prior Ordinances for the issuance of additional revenue bonds on parity with the Prior Bonds.

The Bonds shall be designated as the "City of Fort Wayne, Indiana, Waterworks Utility Revenue Bonds, Series 200_" (with the year of issuance to be completed upon the issuance of the Bonds). The Bonds shall be issued as fully registered bonds in denomination or denominations of Five Thousand Dollars ($5,000) and any integral multiples thereof not exceeding the aggregate principal amount of such Bonds maturing in any one year, or in the event that the Bonds are sold to the Bond Bank pursuant to Indiana Code 5-1.5 and Section 11 hereof, shall be in such denominations as the Bond Bank may request. The Bonds shall be numbered consecutively from __R-1 upward (with the blank to be filled in with the last two digits of the calendar year of issuance of the Bonds) and shall bear interest at a rate or rates not exceeding eight percent (8.0%) per annum (the exact rate or rates to be determined by negotiation with the Bond Bank or by bidding, as further described in Section 11 hereof). Said interest rate or rates shall be in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%) if sold by bidding and one-one hundredth (1/100) of one percent (.01%) if sold by negotiations. All Bonds and/or BANs maturing on the same date shall bear the same rate of interest on Bonds and/or BANs of an earlier maturity. Interest on the Bonds shall be calculated on the basis of twelve

(12) thirty (30)-day months for a three hundred sixty (360)-day year and shall be payable semiannually on June 1 and December 1 of each year (each, an "Interest Payment Date"), commencing not earlier than the June 1 or December 1 following the sale date of the Bonds, with the first interest payment date to be determined by the Controller with the advice of the Financial Advisor and set forth in the Issuer's Certificate (as hereinafter defined), until principal is fully paid. The principal of the Bonds shall mature serially on December 1 of each year, commencing not earlier than the December 1 next following the sale date of the Bonds, and ending not later than the December 1 which is not more than twenty (20) years following such date on the dates and in the principal amounts as set forth in the Issuer's Certificate. The final amortization schedule for the Bonds shall be certified by the Controller to effectuate annual debt service as level as practicable (which may, if deemed in the City's best interest, take into consideration the remaining debt service on the Prior Bonds).

The Bonds shall bear an original issue date which shall be the date of delivery of the Bonds, as set forth in the Issuer's Certificate (unless otherwise provided in the Purchase Agreement (as hereinafter defined) in the event the Bonds are sold to the Bond Bank), and each Bond shall also bear the date of its authentication. Any Bond authenticated on or before the fifteenth day of the calendar month immediately preceding the first Interest Payment Date shall pay interest from its original issue date (unless otherwise provided in the Purchase Agreement in the event the Bonds are sold to the Bond Bank). Any Bond authenticated thereafter shall pay interest from the Interest Payment Date next preceding the date of authentication of such Bond to which interest thereon has been paid or duly provided for, unless

such Bond is authenticated after the fifteenth day of the calendar month immediately preceding an Interest Payment Date and on or before such Interest Payment Date, in which case interest thereon shall be paid from such Interest Payment Date.

Section 2. Section 6 of the Bond Ordinance is hereby amended as follows:

Section 6. The BANs. In anticipation of the issuance and sale of the Bonds authorized herein, and to provide interim financing to apply to the costs of the Project and to refund the outstanding 2009 Notes, the City is hereby authorized to have prepared and to issue and sell negotiable BANs of the City to an eligible purchaser of the BANs under Indiana Code 5-1-14-5 or the Bond Bank, pursuant to a Bond Anticipation Note Purchase Agreement (the "BAN Purchase Agreement") entered into between the City and the purchaser of the BANs, in an aggregate principal amount not to exceed Seventeen Million Eight Hundred Forty Thousand and 00/100 Dollars ($17,840,000.00), to be designated "City of Fort Wayne, Indiana, Waterworks Utility Revenue Bond Anticipation Notes, Series 2010" (with the year of issuance to be changed, as appropriate, in the event the BANs are issued in a calendar year after 2010). The BANs shall be issued pursuant to Indiana Code 5-1.5-8-6.1 if sold to the Bond Bank, or pursuant to Indiana Code 5-1-14-5 if sold to an eligible purchaser thereunder. The BANs shall be issued in fully registered form, shall be numbered consecutively from 10R-1 upwards (with the first two digits to be replaced with the last two digits of the calendar year of issuance in the event the BANs are issued in a calendar year after 2010), shall be in such denominations as the purchaser of the BANs may request, shall be dated as of the date of delivery of the BANs, and shall bear interest at a rate or rates not exceeding ten percent (10.0%) per annum (the

exact rate or rates of interest to be determined by negotiations with the purchaser of the BANs and payable as provided in the BAN Purchase Agreement). The initial BANs delivered will mature on the date provided in the BAN Purchase Agreement, not later than one (1) year after their date of issuance. The BANs may be subject to renewal or extension or refunding, subject to the limitations set forth below, at an interest rate or rates not to exceed ten percent (10.0%) per annum, with the exact rate to be negotiated with the purchaser of such BANs. The term of the BANs and all renewal BANs may not exceed five (5) years from the date of delivery of the initial BANs.

The principal of the BANs shall be refunded and retired out of the proceeds from the issuance and sale hereunder of the Bonds or the net revenues of the Waterworks, subject to the prior lien thereon of the Prior Bonds. The principal of the BANs, and the principal of and interest on the BANs prepaid in accordance with Section 7 hereof shall be refunded by the issuance of the Bonds pursuant to, and in the manner prescribed by the Act. The interest on the BANs shall be payable either from the net revenues of the Waterworks, subject to the prior lien thereon of the Prior Bonds, or from proceeds from the issuance and sale hereunder of the Bonds, as set forth in the BAN Purchase Agreement.

Section 3. Section 7(a) of the Bond Ordinance is hereby amended as follows:

Section 7. Optional Prepayment of BANs; Optional Redemption of the Bonds; Term Bonds.

(a) Optional Prepayment of BANs. The BANs shall be subject to prepayment by the City, in whole and not in part, at a time to be

determined by the Controller and set forth in the Issuer's Certificate. In the case of prepayment, the principal and accrued interest due on the BANs shall be paid only from proceeds of the Bonds, except that such principal and interest due on the BANs may also be paid from other revenues and funds legally available therefor, if any, including federal or state funds available for application to the Project; provided, however, that such funds are not pledged to the payment of the BANs.

Section 4. Section 11(a) and (b) of the Bond Ordinance is hereby amended as follows:

Section 11. Issuance, Sale and Delivery of the Bonds and the BANs.

(a) Generally. The Controller is hereby authorized and directed to have the Bonds and the BANs prepared, and the Mayor, the Controller and the Clerk are each hereby authorized and directed to execute, countersign and attest, respectively, the Bonds and the BANs in the form and manner herein provided. The Controller is hereby authorized and directed to deliver the Bonds and the BANs to the purchaser or purchasers thereof after sale made in accordance with the provisions of the Act and this Ordinance, provided that at the time of said delivery the Controller shall collect the full amount which the purchaser or purchasers have agreed to pay therefor, which shall be not less than ninety-nine percent (99.0%) of the par amount of the Bonds (or such higher percentage of the par value of the Bonds as determined by the Controller and set forth in the Issuer's Certificate), plus accrued interest

thereon, if any, to the date of delivery, and in the case of the BANs, shall not be less than ninety-nine percent (99.0%) of the par amount of the BANs. The City may receive payment for the Bonds and the BANs in installments. The proceeds derived from the sale of the Bonds (or, instead, the BANs, if such BANs are issued), shall be and are hereby set aside for application to the costs of the Project, including all authorized costs relating thereto, and including the respective costs of issuance of the Bonds and the BANs. The authorized officers of the City are hereby authorized and directed to draw all proper and necessary warrants and to do whatever other acts and things that may be necessary or appropriate to carry out the provisions of this Ordinance.

(b) Issuance, Sale and Delivery of the BANs. The City, having satisfied all the statutory requirements for the issuance of the Bonds, may elect to issue its BAN or BANs to an eligible purchaser under Indiana Code 5-1-14-5 or the Bond Bank pursuant to the BAN Purchase Agreement, to be entered into between the City and the purchaser of the BANs. The Common Council hereby authorizes the issuance and execution of the BAN or BANs in lieu of initially issuing Bonds to provide interim financing for the Project until permanent financing becomes available. It shall not be necessary for the City to repeat the procedures for the issuance of its Bonds, as the procedures followed before the issuance of the BAN or BANs are for all purposes sufficient to authorize the issuance of the Bonds and the use of the proceeds to repay the BAN or BANs. The Mayor and the Controller are hereby authorized and directed to execute the BAN Purchase Agreement in

such form or substance as they shall approve acting upon the advice of counsel. The Mayor and the Controller may also take such other action or deliver such other certificates as are necessary or desirable in connection with the issuance of the BANs or the Bonds and the other documents needed for the financing as they deem necessary or desirable in connection therewith.

The BANs may be offered and sold pursuant to an Official Statement with respect to the BANs (the "Official Statement"), to be made available and distributed in such manner, at such times, for such periods and in such number of copies as may be required pursuant to Rule 15c2-12 promulgated by the United States Securities and Exchange Commission (the "Rule") and any and all applicable rules and regulations of the Municipal Securities Rulemaking Board. The City hereby authorizes the Mayor (a) to authorize and approve a Preliminary Official Statement, as the same may be appropriately modified and amended for distribution as the Preliminary Official Statement with respect to the BANs; (b) to designate the Preliminary Official Statement a "final" Official Statement with respect to the BANs, subject to completion; (c) to authorize and approve the Preliminary Official Statement to be placed into final form and to enter into such agreements or arrangements as may be necessary or advisable to provide for the distribution of a sufficient number of copies of the Official Statement; and (d) to execute the Official Statement. The Mayor and the Controller are hereby further authorized to have prepared and execute an agreement for purposes of

evidencing the obligation of the City to comply with any continuing disclosure requirements with respect to the BANs, if necessary under the Rule.

Section 5. This Amending Ordinance is adopted by the Common Council for purposes of supplementing and amending the Bond Ordinance, and the terms and conditions of the Bond Ordinance and all references to "BANs" as set forth in the Bond Ordinance, to the extent not inconsistent with the terms of this Amending Ordinance, are incorporated herein by reference and shall apply to all BANs issued hereunder as if set forth herein.

Section 6. Effectiveness. Except as hereby supplemented and amended hereby, the Bond Ordinance shall remain in full force and effect.

* * * * *

Adopted by the Common Council of the Fort Wayne, Indiana, on this ____day of _____, 2009.

COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

_____
Presiding Officer

APPROVED AS TO FORM AND LEGALITY

_____
Carol T. Taylor, City Attorney

RESOLUTION NO. 96-12-02-09-2

RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, APPROVING THE FORM OF AN ORDINANCE OF THE COMMON COUNCIL OF CITY OF FORT WAYNE, INDIANA, SUPPLEMENTING AND AMENDING ORDINANCE NO. S-134-07 AUTHORIZING THE ACQUISITION BY THE CITY OF FORT WAYNE, INDIANA, OF CERTAIN IMPROVEMENTS AND EXTENSIONS TO THE CITY'S WATERWORKS, THE ISSUANCE AND SALE OF REVENUE BONDS TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS THEREOF, THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS, AND THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH WATERWORKS AND OTHER RELATED MATTERS

WHEREAS, the City of Fort Wayne, Indiana (the "City"), has previously established and constructed and now owns and operates by and through its Board of Public Works (the "Board") a waterworks furnishing the public supply of water to the City and its inhabitants (the "Waterworks") pursuant to Indiana Code 8-1.5, as amended (the "Act"); and

WHEREAS, the City, acting by and through the Board, has proceeded to acquire certain utility assets of Utility Center, Inc., now d/b/a Aqua Indiana, Inc., for the operation of the Waterworks (the "Project"); and

WHEREAS, in order to finance the cost of the Project, the Common Council of the City (the "Common Council"), has previously adopted Ordinance No. S-134-07 (the "Bond Ordinance") authorizing the issuance of waterworks utility revenue bonds and the issuance of bond anticipation notes in anticipation of the issuance of such bonds by the City to finance the cost of the acquisition of the Project; and

WHEREAS, the City has issued its Bond Anticipation Notes, Series 2009, on February 11, 2009, in an aggregate principal amount of $17,840,000 (the "2009 Notes"), which mature on February 11, 2010; and

WHEREAS, to provide for the refunding of the 2009 Notes by negotiated sale and to make certain other relevant changes to the Bond Ordinance, the Board has determined it is necessary to amend certain provisions of the Bond Ordinance; and

WHEREAS, a proposed form of an ordinance amending and supplementing the Bond Ordinance (the "Amending Ordinance") has been duly considered by the Board and found satisfactory, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Board now desires to approve the form of the Amending Ordinance and recommend its adoption to the Common Council of the City (the "Common Council");

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, as follows:

1. The Board hereby approves of the form of Amending Ordinance presented at this meeting.

2. The Secretary of the Board is hereby directed to present a copy of this Resolution and the proposed Amending Ordinance to the Clerk of the City for presentation to the Common Council as soon as may be done in the form presented to this meeting along with any changes which may be suggested by bond counsel or the financial adviser to the City.

3. This Resolution shall be in full force and effect from and after its adoption by the Board.

* * * * *

ADOPTED at a meeting of the Board of Public Works of the City of Fort Wayne, Indiana, held on December 2, 2009, at the City-County Building, Omni Room, Room 250, One Main Street, Fort Wayne, Indiana.

BOARD OF PUBLIC WORKS OF THE
CITY OF FORT WAYNE, INDIANA

Regina A. Kostoff, Chair

Kumar Menon, Member

John Suarez, Member

ATTEST:

Marilyn Huth, Clerk

66

EXHIBIT A

PROPOSED FORM OF AMENDING ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, SUPPLEMENTING AND AMENDING ORDINANCE NO. S-134-07 AUTHORIZING THE ACQUISITION BY THE CITY OF FORT WAYNE, INDIANA, OF CERTAIN IMPROVEMENTS AND EXTENSIONS TO THE CITY'S WATERWORKS, THE ISSUANCE AND SALE OF REVENUE BONDS TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS OF THEREOF, THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS, AND THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH WATERWORKS AND OTHER RELATED MATTERS

WHEREAS, the City of Fort Wayne, Indiana (the "City") has heretofore established and constructed and currently owns and operates a waterworks by and through its Board of Public Works (the "Board") for the provision of public water supply to the City and its inhabitants (the "Waterworks"), in accordance with the provisions of Indiana Code 8-1.5, as amended (the "Act"); and

WHEREAS, the Common Council (the "Common Council") of the City has previously adopted Ordinance No. S-134-07 (the "Bond Ordinance") authorizing the issuance of waterworks utility revenue bonds by the City to finance the cost of the acquisition of the Project (as defined in the Bond Ordinance); and

WHEREAS, the City had issued its Bond Anticipation Notes, Series 2009, on February 11, 2009, in an aggregate principal amount of $17,840,000, which mature on February 11, 2010 (the "2009 Notes"); and

WHEREAS, the Common Council desires to amend certain provisions of the Bond Ordinance by adopting this ordinance (the "Amending Ordinance") to (i) modify certain terms of the

Bond Ordinance; (ii) provide for the refunding of the 2009 Notes by negotiated sale; and (iii) make certain other amendments to the Bond Ordinance in connection therewith;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

Section 1. Section 3 of the Bond Ordinance is hereby amended as follows:

Section 3. The Bonds. In accordance with the Act and for the purpose of providing funds with which to pay the costs of the Project, together with all authorized costs relating thereto including the costs of issuance of the bonds on account thereof, and refunding the BANs, if any, described below, the City shall issue and sell its waterworks utility revenue bonds in an aggregate principal amount not to exceed Twenty-one Million Fifteen Thousand and 00/100 Dollars ($21,015,000.00) (the "Bonds"). The principal of and redemption premium, if any, and interest on the Bonds shall be payable solely out of the Waterworks Sinking Fund referred to below, on a parity with the Prior Bonds.

Any other provisions of this Ordinance to the contrary notwithstanding, the Bonds shall be issued on a parity with the Prior Bonds, and none of the provisions of this Ordinance shall be construed to affect the rights of the holders of the Prior Bonds. The Controller is authorized to employ the Financial Advisor, or any other certified public accountant or firm of certified public accountants to perform any and all computations necessary to confirm the preliminary evidence and findings demonstrating compliance with the conditions set forth in the Prior Ordinances for the issuance of additional revenue bonds on parity with the Prior Bonds. The City shall not issue the Bonds without first receiving a certificate from

the Financial Advisor or other certified public accountant or firm of certified public accountants in form and substance satisfactory to the Controller and Baker & Daniels LLP, Fort Wayne, Indiana, bond counsel for the City, and to the effect that the City and the Waterworks are in complete compliance with the conditions set forth in the Prior Ordinances for the issuance of additional revenue bonds on parity with the Prior Bonds.

The Bonds shall be designated as the "City of Fort Wayne, Indiana, Waterworks Utility Revenue Bonds, Series 200_" (with the year of issuance to be completed upon the issuance of the Bonds). The Bonds shall be issued as fully registered bonds in denomination or denominations of Five Thousand Dollars ($5,000) and any integral multiples thereof not exceeding the aggregate principal amount of such Bonds maturing in any one year, or in the event that the Bonds are sold to the Bond Bank pursuant to Indiana Code 5-1.5 and Section 11 hereof, shall be in such denominations as the Bond Bank may request. The Bonds shall be numbered consecutively from __R-1 upward (with the blank to be filled in with the last two digits of the calendar year of issuance of the Bonds) and shall bear interest at a rate or rates not exceeding eight percent (8.0%) per annum (the exact rate or rates to be determined by negotiation with the Bond Bank or by bidding, as further described in Section 11 hereof). Said interest rate or rates shall be in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%) if sold by bidding and one-one hundredth (1/100) of one percent (.01%) if sold by negotiations. All Bonds and/or BANs maturing on the same date shall bear the same rate of interest on Bonds and/or BANs of an earlier maturity. Interest on the Bonds shall be calculated on the basis of twelve

(12) thirty (30)-day months for a three hundred sixty (360)-day year and shall be payable semiannually on June 1 and December 1 of each year (each, an "Interest Payment Date"), commencing not earlier than the June 1 or December 1 following the sale date of the Bonds, with the first interest payment date to be determined by the Controller with the advice of the Financial Advisor and set forth in the Issuer's Certificate (as hereinafter defined), until principal is fully paid. The principal of the Bonds shall mature serially on December 1 of each year, commencing not earlier than the December 1 next following the sale date of the Bonds, and ending not later than the December 1 which is not more than twenty (20) years following such date on the dates and in the principal amounts as set forth in the Issuer's Certificate. The final amortization schedule for the Bonds shall be certified by the Controller to effectuate annual debt service as level as practicable (which may, if deemed in the City's best interest, take into consideration the remaining debt service on the Prior Bonds).

The Bonds shall bear an original issue date which shall be the date of delivery of the Bonds, as set forth in the Issuer's Certificate (unless otherwise provided in the Purchase Agreement (as hereinafter defined) in the event the Bonds are sold to the Bond Bank), and each Bond shall also bear the date of its authentication. Any Bond authenticated on or before the fifteenth day of the calendar month immediately preceding the first Interest Payment Date shall pay interest from its original issue date (unless otherwise provided in the Purchase Agreement in the event the Bonds are sold to the Bond Bank). Any Bond authenticated thereafter shall pay interest from the Interest Payment Date next preceding the date of authentication of such Bond to which interest thereon has been paid or duly provided for, unless

such Bond is authenticated after the fifteenth day of the calendar month immediately preceding an Interest Payment Date and on or before such Interest Payment Date, in which case interest thereon shall be paid from such Interest Payment Date.

Section 2. Section 6 of the Bond Ordinance is hereby amended as follows:

Section 6. The BANs. In anticipation of the issuance and sale of the Bonds authorized herein, and to provide interim financing to apply to the costs of the Project and to refund the outstanding 2009 Notes, the City is hereby authorized to have prepared and to issue and sell negotiable BANs of the City to an eligible purchaser of the BANs under Indiana Code 5-1-14-5 or the Bond Bank, pursuant to a Bond Anticipation Note Purchase Agreement (the "BAN Purchase Agreement") entered into between the City and the purchaser of the BANs, in an aggregate principal amount not to exceed Seventeen Million Eight Hundred Forty Thousand and 00/100 Dollars ($17,840,000.00), to be designated "City of Fort Wayne, Indiana, Waterworks Utility Revenue Bond Anticipation Notes, Series 2010" (with the year of issuance to be changed, as appropriate, in the event the BANs are issued in a calendar year after 2010). The BANs shall be issued pursuant to Indiana Code 5-1.5-8-6.1 if sold to the Bond Bank, or pursuant to Indiana Code 5-1-14-5 if sold to an eligible purchaser thereunder. The BANs shall be issued in fully registered form, shall be numbered consecutively from 10R-1 upwards (with the first two digits to be replaced with the last two digits of the calendar year of issuance in the event the BANs are issued in a calendar year after 2010), shall be in such denominations as the purchaser of the BANs may request, shall be dated as of the date of delivery of the BANs, and shall bear interest at a rate or rates not exceeding ten percent (10.0%) per annum (the

exact rate or rates of interest to be determined by negotiations with the purchaser of the BANs and payable as provided in the BAN Purchase Agreement). The initial BANs delivered will mature on the date provided in the BAN Purchase Agreement, not later than one (1) year after their date of issuance. The BANs may be subject to renewal or extension or refunding, subject to the limitations set forth below, at an interest rate or rates not to exceed ten percent (10.0%) per annum, with the exact rate to be negotiated with the purchaser of such BANs. The term of the BANs and all renewal BANs may not exceed five (5) years from the date of delivery of the initial BANs.

The principal of the BANs shall be refunded and retired out of the proceeds from the issuance and sale hereunder of the Bonds or the net revenues of the Waterworks, subject to the prior lien thereon of the Prior Bonds. The principal of the BANs, and the principal of and interest on the BANs prepaid in accordance with Section 7 hereof shall be refunded by the issuance of the Bonds pursuant to, and in the manner prescribed by the Act. The interest on the BANs shall be payable either from the net revenues of the Waterworks, subject to the prior lien thereon of the Prior Bonds, or from proceeds from the issuance and sale hereunder of the Bonds, as set forth in the BAN Purchase Agreement.

Section 3. Section 7(a) of the Bond Ordinance is hereby amended as follows:

Section 7. Optional Prepayment of BANs; Optional Redemption of the Bonds; Term Bonds.

(a) Optional Prepayment of BANs. The BANs shall be subject to prepayment by the City, in whole and not in part, at a time to be

determined by the Controller and set forth in the Issuer's Certificate. In the case of prepayment, the principal and accrued interest due on the BANs shall be paid only from proceeds of the Bonds, except that such principal and interest due on the BANs may also be paid from other revenues and funds legally available therefor, if any, including federal or state funds available for application to the Project; provided, however, that such funds are not pledged to the payment of the BANs.

Section 4. Section 11(a) and (b) of the Bond Ordinance is hereby amended as follows:

Section 11. Issuance, Sale and Delivery of the Bonds and the BANs.

(a) Generally. The Controller is hereby authorized and directed to have the Bonds and the BANs prepared, and the Mayor, the Controller and the Clerk are each hereby authorized and directed to execute, countersign and attest, respectively, the Bonds and the BANs in the form and manner herein provided. The Controller is hereby authorized and directed to deliver the Bonds and the BANs to the purchaser or purchasers thereof after sale made in accordance with the provisions of the Act and this Ordinance, provided that at the time of said delivery the Controller shall collect the full amount which the purchaser or purchasers have agreed to pay therefor, which shall be not less than ninety-nine percent (99.0%) of the par amount of the Bonds (or such higher percentage of the par value of the Bonds as determined by the Controller and set forth in the Issuer's Certificate), plus accrued interest

thereon, if any, to the date of delivery, and in the case of the BANs, shall not be less than ninety-nine percent (99.0%) of the par amount of the BANs. The City may receive payment for the Bonds and the BANs in installments. The proceeds derived from the sale of the Bonds (or, instead, the BANs, if such BANs are issued), shall be and are hereby set aside for application to the costs of the Project, including all authorized costs relating thereto, and including the respective costs of issuance of the Bonds and the BANs. The authorized officers of the City are hereby authorized and directed to draw all proper and necessary warrants and to do whatever other acts and things that may be necessary or appropriate to carry out the provisions of this Ordinance.

(b) Issuance, Sale and Delivery of the BANs. The City, having satisfied all the statutory requirements for the issuance of the Bonds, may elect to issue its BAN or BANs to an eligible purchaser under Indiana Code 5-1-14-5 or the Bond Bank pursuant to the BAN Purchase Agreement, to be entered into between the City and the purchaser of the BANs. The Common Council hereby authorizes the issuance and execution of the BAN or BANs in lieu of initially issuing Bonds to provide interim financing for the Project until permanent financing becomes available. It shall not be necessary for the City to repeat the procedures for the issuance of its Bonds, as the procedures followed before the issuance of the BAN or BANs are for all purposes sufficient to authorize the issuance of the Bonds and the use of the proceeds to repay the BAN or BANs. The Mayor and the Controller are hereby authorized and directed to execute the BAN Purchase Agreement in

such form or substance as they shall approve acting upon the advice of counsel. The Mayor and the Controller may also take such other action or deliver such other certificates as are necessary or desirable in connection with the issuance of the BANs or the Bonds and the other documents needed for the financing as they deem necessary or desirable in connection therewith.

The BANs may be offered and sold pursuant to an Official Statement with respect to the BANs (the "Official Statement"), to be made available and distributed in such manner, at such times, for such periods and in such number of copies as may be required pursuant to Rule 15c2-12 promulgated by the United States Securities and Exchange Commission (the "Rule") and any and all applicable rules and regulations of the Municipal Securities Rulemaking Board. The City hereby authorizes the Mayor (a) to authorize and approve a Preliminary Official Statement, as the same may be appropriately modified and amended for distribution as the Preliminary Official Statement with respect to the BANs; (b) to designate the Preliminary Official Statement a "final" Official Statement with respect to the BANs, subject to completion; (c) to authorize and approve the Preliminary Official Statement to be placed into final form and to enter into such agreements or arrangements as may be necessary or advisable to provide for the distribution of a sufficient number of copies of the Official Statement; and (d) to execute the Official Statement. The Mayor and the Controller are hereby further authorized to have prepared and execute an agreement for purposes of

evidencing the obligation of the City to comply with any continuing disclosure requirements with respect to the BANs, if necessary under the Rule.

Section 5. This Amending Ordinance is adopted by the Common Council for purposes of supplementing and amending the Bond Ordinance, and the terms and conditions of the Bond Ordinance and all references to "BANs" as set forth in the Bond Ordinance, to the extent not inconsistent with the terms of this Amending Ordinance, are incorporated herein by reference and shall apply to all BANs issued hereunder as if set forth herein.

Section 6. Effectiveness. Except as hereby supplemented and amended hereby, the Bond Ordinance shall remain in full force and effect.

* * * * *

Adopted by the Common Council of the Fort Wayne, Indiana, on this ____day of _____, 2009.

COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

_____
Presiding Officer

APPROVED AS TO FORM AND LEGALITY

_____
Carol T. Taylor, City Attorney

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: November 30, 2009

RE: Water SRF (STATE REVOLVING FUNDS) - **2006**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$171,316.00.** These payments will be made with the 2006 Waterworks State Revolving Fund Loan Program. These expenses are for the Anthony Wayne Village/Mount Vernon Park Water Main Replacement, the St. Joe Dam Pump Station project, the 3RFP North Pump Building project, the Lime Sludge Pumping Ph 2 project, the Filter Underdrain Air Header project, the 3RFP Plant North 3 Sludge Pumps Ph 2 project and the 3RFP West Reservoir Design Improvements.

Draw #283 & #286	CH2M Hill	$ 36,012.00
Draw #284 & #290	Donohue & Assoc.	73,435.00
Draw #285	Hagerman Construction	22,706.00
Draw #287	HNTB Corp.	1,579.00
Draw #288	Weigand Construction Co.	15,427.00
Draw #289	City Utilities – City of Fort Wayne	1,000.00
Draw #291	Black & Veatch Corp.	9,389.00
Draw #292	Jones & Henry Engineers	11,468.00
Draw #293	Design Collaborative	300.00
	Total Payments	**$171,316.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

December 2, 2009
Date

TO: Marilyn Huth – Board of Public Works

FROM: Darlene Backs – City Utilities Financial Services

DATE: November 23, 2009

RE: Sewer SRF (STATE REVOLVING FUNDS) – **2009 ARRA**

Please include the following SRF payments with the City Utilities vendor payments.

Water Resources is requesting the Board of Public Works to approve the following payments in the amount of **$505,994.00.** These payments will be made with the 2009 Sewage Works State Revolving Fund Loan Program. These expenses are for the Woodrow & Vance Partial Sewer Separation project, the Smith – Roosevelt Drainage Improvement project and issuance costs.

Draw #1 & #2	City Utilities. – Ft. Wayne Municipal Sewage Works	$344,460.00
Draw #3	Bingham McHale	2,403.00
Draw #4	Ice Miller	34,310.00
Draw #7	Underground Contractors & Lake City Bank	$124,656.00
Draw #8	R W Armstrong	165.00
	Total Payments	**$505,994.00**

(Draws #5 & #6 submitted and approved 10/14/09)

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

December 2, 2009
Date

A RESOLUTION declaring the intent to sell real estate owned by the City of Fort Wayne.

 # 96-12-2-09-1

WHEREAS, The City of Fort Wayne is listed as the owner of the following property:

1125 Wells St.
MCCULLOCH SUB LOT 1 39 8 FT N OF S 60 FT EX PT

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use of this property, and that future use by the City is unlikely.

WHEREAS, As a condition of sale the Board of Public Works has determined that all costs associated with the sale shall be borne by the buyer including the cost of the appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to sell the above-named property, following all applicable state statutes.

Signed this 2 day of December, 2009.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

Attest By:

_____
Marilyn Huth, Clerk

02-12-02-177-018.000-074 FORT WAYNE CITY OF 1125 WELLS ST 640

Tax ID 92-3459-0018 Printed 07/30/2009 Card No. 1 of 1

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
02-12-02-177-018.000-074

Parent Parcel Number

Property Address
1125 WELLS ST

Neighborhood
0

Property Class
640 Exempt: Municipality

TAXING DISTRICT INFORMATION

Jurisdiction	02	Allen
Area	091	091 Wayne
Corporation	100	
District	074	
Section & Plat	000	

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Legal Acres:
0.0000

OWNERSHIP

FORT WAYNE CITY OF
1 E MAIN ST
FORT WAYNE, IN 46802-1815

MCCULLOCH SUB LOT 1 39 8 FT N OF S 60 FT EX PT SOLD TO CITY
OF S 60 FT EX PT SOLD TO CITY

TRANSFER OF OWNERSHIP

Date

EXEMPT

VALUATION RECORD

Assessment Year		03/01/1995	03/01/2001	03/01/2002	03/01/2006	03/01/2007	03/01/200	03/01/2009
Reason for Change		4Y Reval	100pct AV	4Y Reval	Ann Adj	Ann Adj	Ann Ad	Ann Adj
VALUATION	L	0	0	0	0	0	0	0
Appraised Value	B	0	0	0	0	0	0	0
	T	0	0	0	0	0	0	0
VALUATION	L	0	0	0	0	0	0	0
True Tax Value	B	0	0	0	0	0	0	0
	T	0	0	0	0	0	0	0

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 Primary Commercial/Indust Land		0		0.00	0.00	0.00	0	SV	0

: **********
2009 payable 2010 values have not been finalized and are subject to change by state and local assessing officials.
****
ChID: Previous parcel_id: 92-3459-5018
GOVT: Exempt Government

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

Measured Acreage
Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total
Homesite(s) Value (+)

Supplemental Cards
TOTAL LAND VALUE

Supplemental Cards

TRUE TAX VALUE 0

A RESOLUTION declaring the intent to sell real estate owned by the City of Fort Wayne.

 # 96-12-2-09-1

WHEREAS, The City of Fort Wayne is listed as the owner of the following property:

1125 Wells St.
MCCULLOCH SUB LOT 1 39 8 FT N OF S 60 FT EX PT

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use of this property, and that future use by the City is unlikely.

WHEREAS, As a condition of sale the Board of Public Works has determined that all costs associated with the sale shall be borne by the buyer including the cost of the appraisal, survey, title insurance, deed preparation, newspaper publication and recording of documents.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to sell the above-named property, following all applicable state statutes.

Signed this 2 day of December, 2009.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

Attest By:

_____
Marilyn Huth, Clerk

ADMINISTRATIVE INFORMATION

PARCEL NUMBER
02-12-02-177-018.000-074

Parent Parcel Number

Property Address
1125 WELLS ST

Neighborhood
0

Property Class
640 Exempt: Municipality

TAXING DISTRICT INFORMATION

Jurisdiction	02	Allen
Area	091	091 Wayne
Corporation	100	
District	074	
Section & Plat	000	

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Legal Acres:
0.0000

OWNERSHIP

FORT WAYNE CITY OF
1 E MAIN ST
FORT WAYNE, IN 46802-1815

MCCULLOCH SUB LOT 1 39 8 FT N OF S 60 FT EX PT SOLD TO CITY
OF S 60 FT EX PT SOLD TO CITY

Tax ID 92-3459-0018 Printed 07/30/2009 Card No. 1 of 1

TRANSFER OF OWNERSHIP

Date

EXEMPT

VALUATION RECORD

Assessment Year		03/01/1995	03/01/2001	03/01/2002	03/01/2006	03/01/2007	03/01/200	03/01/2009
Reason for Change		4Y Reval	100pct AV	4Y Reval	Ann Adj	Ann Adj	Ann Ad	Ann Adj
VALUATION	L	0	0	0	0	0	0	0
Appraised Value	B	0	0	0	0	0	0	0
	T	0	0	0	0	0	0	0
VALUATION	L	0	0	0	0	0	0	0
True Tax Value	B	0	0	0	0	0	0	0
	T	0	0	0	0	0	0	0

LAND DATA AND CALCULATIONS

Land Type	Rating Soil ID -or- Actual Frontage	Measured Acreage -or- Effective Frontage	Table Effective Depth	Prod. Factor -or- Depth Factor -or- Square Feet	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
1 Primary Commercial/Indust Land		0		0.00	0.00	0.00	0		SV 0

: **********
2009 payable 2010 values have not been finalized and are
subject to change by state and local assessing officials.
****

ChID: Previous parcel_id: 92-3459-5018
GOVT: Exempt Government

FARMLAND COMPUTATIONS

Parcel Acreage

81 Legal Drain NV [-]
82 Public Roads NV [-]
83 UT Towers NV [-]
9 Homesite(s) [-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

Supplemental Cards

TRUE TAX VALUE 0

Measured Acreage
Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total
Homesite(s) Value (+)

Supplemental Cards
TOTAL LAND VALUE

Establishment of City Utilities Revolving Fund and

Incentive Program for Septic Elimination

Resolution #96-12-02-09-3

Whereas, Fort Wayne City Utilities is committed to public health and safety, to improving the local environment and to supporting economic development in Fort Wayne and the surrounding area; and

Whereas, a number of properties in and near the City's sewer service area continue to be served by private on-site sewage treatment systems ("Septic Systems"); and

Whereas, research performed by Purdue University estimates that one-quarter of the septic systems in the State have failed or are failing and that every failing system can discharge more than 76,650 gallons of untreated wastewater into groundwater and surface water bodies each year; and

Whereas, the estimated 500 failing septic systems in the Fort Wayne area are introducing approximately 38,000,000 gallons of raw or only partially treated sewage into the environment annually causing a health hazard and an environmental concern; and

Whereas, City Utilities is committed to eliminating Septic Systems and assisting property owners in connecting to public sewage collection and treatment systems; and

Now therefore, the Fort Wayne Board of Public Works does hereby adopt the following Policy through which property owners may receive financing and a financial incentive to support the elimination of Septic Systems.

A. Project Financing

1. A City Utilities Revolving Fund is hereby established in accordance with IC 36-9-22 as an alternative to the Revolving Barrett Law Program for financing the property owners' share of sewer extension projects to eliminate septic systems.
2. City Utilities shall establish a line item within the Water Pollution Control (sewer) Utility where the City Utilities Revolving Fund shall be maintained.
    a. The City Utilities Revolving Fund shall be funded through a combination of revenue sources including, but not limited to:
        i. Proceeds of the sale of bonds or State Revolving Loan Funds loaned to City Utilities for the construction of sewer extension projects;
        ii. Accumulated Area Connection Fees;
        iii. Other sources including, but not limited to, any interest generated by the fund.
3. Septic system elimination projects where design work is done by the City and where construction is undertaken by the City through a cost quotation or bidding process ("City-led project") and where financing for the property owners' project cost assessment will be funded through the City Utilities Revolving Fund shall be implemented via processes and procedures established by City Utilities.
4. In approving City-led projects as described in A.3 above, the Board of Public Works shall designate the mechanism to be used for financing the property owners' assessments. The Board may designate the Revolving Barrett Law Program or the City Utilities Revolving Fund as the financing mechanism.

5. Interest on the unpaid balance of the property owners' assessment shall be established by the Board of Public Works.

B. Financial Incentive

1. Properties that meet the criteria for the financial incentive per Section C of this Resolution will be eligible to receive up to $3,200 toward costs associated with the elimination of a Septic System.
2. City Utilities shall establish and maintain funding within the budget of the Water Pollution Control Utility to provide financial incentives under this resolution.
3. For properties that meet the eligibility criteria established in Section C below, payment of any approved and applicable Area Connection Fee due to City Utilities for the eligible property is hereby waived.

C. Eligibility and Limitations

1. Properties that connect directly to the City's public sanitary sewer system resulting in the elimination of a Septic System will be eligible for the financial incentive and project financing mechanisms described in Sections A and B above.
2. Owners of properties where the total cost of septic elimination is less than $3,200 will receive an incentive payment based on actual cost of the work performed to eliminate the septic system.
3. Properties located within City Utilities-approved, retail customer project areas of the Allen County Regional Water and Sewer District that connect to the contracted sanitary sewer system resulting in the elimination of a Septic System will be eligible for the financial incentive. The financial incentive shall be allocated to the Allen County Regional Water and Sewer District Board.
4. The financial incentive and financing mechanisms will be provided to the property owner(s) of record for the eligible properties. Financial incentives will not be provided to individuals that do not own or hold an interest in the subject property.
5. The installed building service line (sewer tap) for an eligible property must meet all applicable technical requirements and construction standards of Fort Wayne City Utilities including, but not limited to: a sewer tap permit is obtained prior to installation, the sewer tap is installed by a City Utilities-licensed sewer tap contractor and the sewer tap is inspected by the City and meets all applicable construction standards and requirements.
6. Property owners eliminating a septic system via a City-led project as described in section A (3) must do so within 90 days of the acceptance of the sanitary sewer project by the Board of Public Works in order to be eligible to receive the incentive payment.
7. Eligible properties are subject to any and all restrictions as set forth by the Indiana Code, Indiana Administrative Code, City Utilities Rules, Regulations and applicable ordinances.
8. If easements are required by City Utilities or the Allen County Regional Water and Sewer District from property owners who are otherwise eligible to receive the financial incentive, said property owners are required to grant the easements without compensation (easement donation) in order to receive the financial incentive.
9. In all cases, property owners eliminating a Septic System as described in C.1 or C.2 above must provide all necessary documentation associated with the sanitary sewer connection to the City prior to receiving the financial incentive. Examples of necessary documentation include public and/or private easements, waivers of annexation, tap permit and other documents required by the City.
10. Use of the City Utilities Revolving Fund and the Incentive Program and the Revolving Barrett Law Program are subject to the availability of funding.

D. City Utilities shall establish, and modify as necessary, the processes and procedures necessary to carry out the provisions of this Resolution.

This resolution shall be effective immediately upon passage by the Board of Public Works of the City of Fort Wayne, Indiana and shall replace the provisions of Board of Public Works Resolution 91-124-18 Section II.E.

Approved this 2 day of December, 2009.

BOARD OF PUBLIC WORKS
FORT WAYNE, INDIANA

By: _____
Regina A. Kostoff, Chair

By: _____
Kumar Menon, Member

By: _____
John Suarez, Member

ATTEST: _____
Marilyn Huth, Clerk

STREET LIGHT RESOLUTION

NUMBER 330-09

WYNDEMERE ADDITION STREET LIGHT IMPROVEMEMNTS

The Board of Public Works of the City of Fort Wayne, Indiana, having been petitioned by certain property owners in Wyndemere Addition, section #5, hereby deems it necessary to install additional Town and Country style street light fixtures on Dyerbrook Court, Wyndemere Pass, Tifton Court, and Sawmill Woods Boulevard, more specifically, new street lights to be placed at the following addresses: 5433, 5513, and 5521 Dyerbrook Court; 4114, 4125, 4209, and 4219 Wyndemere Pass; 5601, 5609, 5617, 5627, and 5711 Sawmill Woods Boulevard; 4226 Tifton Court; all in accordance with the plans and specifications on file in the office of the Board of Works of the City of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

This project is funded by a combination of 2nd Council District 2009 CEDIT Funds and Wyndemere Community Association funds.

Wyndemere Community Association shall submit the association's share of funds to the City of Fort Wayne upon the city's receipt and verification of all bids. No contract shall be approved or awarded until the city has received the association's share. The association's share shall not exceed $13,000 per previously submitted funding commitment letter.

BOARD OF PUBLIC WORKS

Regina A. Kostoff – Chairman

John Suarez – Member

Kumar Menon – Member

ATTEST:

Marilyn Huth – Clerk

December 2, 2009

To the City of Fort Wayne Board of Public Works:

I, _____, as authorized representative of the Wyndemere Community Association, agree that the association will pay for the following:

Any costs incurred above and beyond the city's $8,000 commitment, but not to exceed $13,000 for street lighting improvements as described in Resolution #330-09. This resolution is for street lighting improvements at the following locations: Dyerbrook Court, Wyndemere Pass, Tifton Court, and Sawmill Woods Boulevard, also known as Wyndemere Section V.

The association agrees to make payment to the City of Fort Wayne within ten (10) days of receipt of bids. No work shall commence, and no contract shall be awarded until the association has submitted payment.

If the association's share of the winning construction bid exceeds $13,000, the association reserves the right to opt out of this agreement and cancel the project.

Signature:_____

Printed name:_____

Title:_____

Date:_____

RESOLUTION NO. 2247-2009
WIN AVENUE – WINCHESTER ROAD STORM SEWER IMPROVEMENTS

WHEREAS, stormwater drainage problem exists at the intersection of Win Avenue and Winchester Road in the City of Fort Wayne, Indiana; and

WHEREAS, Water Resources determined that this is a public problem and a repair is warranted; and

WHEREAS, Water Resources has developed an improvement plan to repair the stormwater drainage problem; and

WHEREAS, the improvement involves the installation of 110 LF of 12"& 15" PVC pipe, 4-48"dia. manholes with castings, 2-backlow prevention devices, 1-end of pipe structure with trash rack, grouting of pipes with flowable fill, rip-rap with geogrid fabric and all required finished grading, seeding and restoration of asphalt at the intersection of Win Avenue and Winchester Road area; and

WHEREAS, Water Resources Dept. invited twelve (12) Contractors to submit invitational bids for said improvements.

WHEREAS, Water Resources Dept. and has received said invitational bids for said improvements as follow:

All Star Construction	$92,835.00	Geiger Developing	No Bid
Bercot, Inc.	$68,656.00	Kurtz Excavating	No Bid
Crosby Excavating	$94,874.25	Land Construction	$75,130.00
Earth Construction	No Bid	Pyramid Excavating	No Bid
Everett Drainage & Exc.	No bid	Scheidleman Excavating	$113,483.28
Fleming Excavating	$61,474.31	Underground Contractors	No Bid
Engineer's Estimate	***$61,929.00***		

NOW, THEREFORE, the Board of Stormwater Management hereby declares a drainage improvement is necessary and requests the Purchasing Department to issue a Purchase Order to **Fleming Excavating, Inc. in the amount of $61,474.31.**

Adopted, this 2 day of December, 2009.

BOARD OF STORMWATER MANAGEMENT

Robert P. Kennedy,
Chairman

John Suarez,
Member

Matthew A. Wirtz,
Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

	PROJECT:	WIN AVE. - WINCHESTER ROAD - STORM DRAINAGE IMPROVEMENT PROJECT																		
	Resolution#:	2247-2009																		
	Work Order#:	83206																		
	Contract / Program Manager:	Tom Pallone / Dan Smith																		
	Bid Date: (Quote Date)	November 24, 2009																		
	Funding:	StormWater Utility																		
	BID			**ENGINEER'S ESTIMATE**		**FLEMING EXCAVATING**		**BERCOT INC**		**LAND CONSTRUCTION**		**ALL STAR CONSTRUCTION**		**CROSBY EXCAVATING**		**SCHEIDLEMAN ESC.**	
Item#	Description	Quantity	Unit	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
1	Traffic Control	LS	1	$ 6,000.00	$ 6,000.00	$ 2,576.00	$ 2,576.00	$ 5,697.00	$ 5,697.00	$ 19,985.55	$ 19,985.55	$ 3,500.00	$ 3,500.00	$ 5,450.00	$ 5,450.00	$ 9,647.29	$ 9,647.29
2	Erosion and Sedimentation Control	LS	1	$ 2,000.00	$ 2,000.00	$ 495.00	$ 495.00	$ 125.00	$ 125.00	$ 250.00	$ 250.00	$ 3,000.00	$ 3,000.00	$ 1,760.00	$ 1,760.00	$ 2,391.94	$ 2,391.94
3	Site Clearing and Restoration	LS	1	$ 2,000.00	$ 2,000.00	$ 5,940.00	$ 5,940.00	$ 475.00	$ 475.00	$ 1,050.00	$ 1,050.00	$ 4,000.00	$ 4,000.00	$ 7,120.00	$ 7,120.00	$ 10,254.27	$ 10,254.27
4	Remove 10" PVC Pipe	LF	25	$ 15.00	$ 375.00	$ 9.00	$ 225.00	$ 5.00	$ 125.00	$ 5.60	$ 140.00	$ 30.00	$ 750.00	$ 15.25	$ 381.25	$ 28.99	$ 724.75
5	Remove Str. #2 & 5 LF of 15" RCP	LS	1	$ 800.00	$ 800.00	$ 525.00	$ 525.00	$ 250.00	$ 250.00	$ 200.00	$ 200.00	$ 300.00	$ 300.00	$ 1,015.00	$ 1,015.00	$ 1,907.01	$ 1,907.01
6	Abandon Str. #3	LS	1	$ 600.00	$ 600.00	$ 400.00	$ 400.00	$ 450.00	$ 450.00	$ 550.00	$ 550.00	$ 500.00	$ 500.00	$ 390.00	$ 390.00	$ 2,207.12	$ 2,207.12
7	Abandon Str. #5	LS	1	$ 900.00	$ 900.00	$ 350.00	$ 350.00	$ 450.00	$ 450.00	$ 460.00	$ 460.00	$ 500.00	$ 500.00	$ 685.00	$ 685.00	$ 2,463.20	$ 2,463.20
8	Grout (Abandon) 15" Pipe in Place	CY	8	$ 60.00	$ 480.00	$ 130.00	$ 1,040.00	$ 269.00	$ 2,152.00	$ 134.00	$ 1,072.00	$ 325.00	$ 2,600.00	$ 225.00	$ 1,800.00	$ 447.47	$ 3,579.76
9	Concrete Trash Rack (Str. #8)	EA	1	$ 1,500.00	$ 1,500.00	$ 1,095.00	$ 1,095.00	$ 1,150.00	$ 1,150.00	$ 1,650.00	$ 1,650.00	$ 2,600.00	$ 2,600.00	$ 1,035.00	$ 1,035.00	$ 2,522.70	$ 2,522.70
10	Doghouse Manhole (Str. #10)	EA	1	$ 3,500.00	$ 3,500.00	$ 2,900.00	$ 2,900.00	$ 4,373.00	$ 4,373.00	$ 2,965.00	$ 2,965.00	$ 4,250.00	$ 4,250.00	$ 3,345.00	$ 3,345.00	$ 5,308.04	$ 5,308.04
11	Doghouse Manhole (Str. #11)	EA	1	$ 3,500.00	$ 3,500.00	$ 2,600.00	$ 2,600.00	$ 4,036.00	$ 4,036.00	$ 3,200.00	$ 3,200.00	$ 5,750.00	$ 5,750.00	$ 3,565.00	$ 3,565.00	$ 5,221.13	$ 5,221.13
12	Standard 48" Manhole	EA	2	$ 2,500.00	$ 5,000.00	$ 1,950.00	$ 3,900.00	$ 3,134.00	$ 6,268.00	$ 1,850.00	$ 3,700.00	$ 3,250.00	$ 6,500.00	$ 3,310.00	$ 6,620.00	$ 3,042.43	$ 6,084.86
13	12" SDR-26 PVC Pipe	LF	21	$ 40.00	$ 840.00	$ 87.60	$ 1,839.60	$ 159.00	$ 3,339.00	$ 68.40	$ 1,436.40	$ 180.00	$ 3,780.00	$ 264.00	$ 5,544.00	$ 119.18	$ 2,502.78
14	15" SDR-26 PVC Pipe	LF	89	$ 50.00	$ 4,450.00	$ 90.50	$ 8,054.50	$ 163.00	$ 14,507.00	$ 74.75	$ 6,652.75	$ 180.00	$ 16,020.00	$ 284.00	$ 25,276.00	$ 150.57	$ 13,400.73
15	In-Line (15" pipe) Check Valve	EA	1	$ 3,100.00	$ 3,100.00	$ 3,485.00	$ 3,485.00	$ 4,055.00	$ 4,055.00	$ 5,975.00	$ 5,975.00	$ 5,000.00	$ 5,000.00	$ 4,115.00	$ 4,115.00	$ 6,287.68	$ 6,287.68
16	In-Line (12" pipe) Check Valve	EA	1	$ 5,500.00	$ 5,500.00	$ 3,385.00	$ 3,385.00	$ 3,855.00	$ 3,855.00	$ 3,295.00	$ 3,295.00	$ 5,250.00	$ 5,250.00	$ 4,015.00	$ 4,015.00	$ 3,532.87	$ 3,532.87
17	Special Backfill #53 or #73 (Compacted Aggregat	CY	169	$ 40.00	$ 6,760.00	$ 33.59	$ 5,676.71	$ 19.00	$ 3,211.00	$ 38.00	$ 6,422.00	$ 25.00	$ 4,225.00	$ 17.50	$ 2,957.50	$ 44.39	$ 7,501.91
18	HMA Base, #5	TONS	29	$ 52.00	$ 1,508.00	$ 80.00	$ 2,320.00	$ 109.00	$ 3,161.00	$ 80.50	$ 2,334.50	$ 150.00	$ 4,350.00	$ 235.00	$ 6,815.00	$ 205.17	$ 5,949.93
19	HMA Surface	TONS	8	$ 40.00	$ 320.00	$ 114.00	$ 912.00	$ 114.00	$ 912.00	$ 185.00	$ 1,480.00	$ 165.00	$ 1,320.00	$ 196.00	$ 1,568.00	$ 206.37	$ 1,650.96
20	Topsoil & Mulched Seeding	LS	1	$ 1,440.00	$ 1,440.00	$ 1,000.00	$ 1,000.00	$ 400.00	$ 400.00	$ 550.00	$ 550.00	$ 250.00	$ 250.00	$ 1,560.00	$ 1,560.00	$ 3,282.24	$ 3,282.24
21	Geogrid	SY	62	$ 5.00	$ 310.00	$ 3.50	$ 217.00	$ 2.00	$ 124.00	$ 6.50	$ 403.00	$ 50.00	$ 3,100.00	$ 7.25	$ 449.50	$ 6.62	$ 410.44
22	Reventment Riprap	TONS	17	$ 60.00	$ 1,020.00	$ 40.00	$ 680.00	$ 19.00	$ 323.00	$ 42.00	$ 714.00	$ 40.00	$ 680.00	$ 34.00	$ 578.00	$ 30.51	$ 518.67
23	Floating Slit Curtain	LF	60	$ 35.00	$ 2,100.00	$ 57.50	$ 3,450.00	$ 19.00	$ 1,140.00	$ 40.00	$ 2,400.00	$ 80.00	$ 4,800.00	$ 7.50	$ 450.00	$ 110.52	$ 6,631.20
24	Inlet Sediment Trap	EA	4	$ 75.00	$ 300.00	$ 97.75	$ 391.00	$ 59.00	$ 236.00	$ 80.00	$ 320.00	$ 150.00	$ 600.00	$ 85.00	$ 340.00	$ 167.54	$ 670.16
25	Coir Log	LF	18	$ 7.00	$ 126.00	$ 28.75	$ 517.50	$ 19.00	$ 342.00	$ 23.60	$ 424.80	$ 95.00	$ 1,710.00	$ 30.00	$ 540.00	$ 73.98	$ 1,331.64
26	Work Allowance	LS	1	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00
	TOTAL BASE BID				$ 61,929.00		$ 61,474.31		$ 68,656.00		$ 75,130.00		$ 92,835.00		$ 94,874.25		$ 113,483.28

AMENDMENT NO. 1
TO AGREEMENT BETWEEN
CITY OF FORT WAYNE, INDIANA
AND HOMETOWN ENGINEERING, LLC

This AMENDMENT NO. 1, effective this 2nd of December, 2009, is made by and between the City of Fort Wayne, Indiana ("CITY") and Hometown Engineering, LLC ("ENGINEER").

WHEREAS, the parties entered into an AGREEMENT dated December 3, 2008, for certain professional engineering services related to the preparation of a Preliminary Engineering Report for wastewater system improvements ("PROJECT"), and

WHEREAS, the CITY desires to amend the AGREEMENT as follows:

1. The CITY desires the ENGINEER to provide additional services necessary to revise the report and add additional projects.

2. Compensation for basic services rendered under this AMENDMENT NO. 1 shall not exceed $30,000.00. Total Billings including those services invoiced under the AGREEMENT and this AMENDMENT shall not exceed $60,000.00.

3. The PROJECT schedule shall be revised to accommodate the additional work. The project schedule shall be extended 62 weeks to June 30, 2010. All other provisions of the AGREEMENT shall remain in full force and effect.

IN WITNESS THEREOF, the parties have made and executed this AMENDMENT NO. 1 of AGREEMENT as of the day and year first written above.

CITY OF FORT WAYNE, INDIANA
BOARD OF PUBLIC WORKS

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

December 2, 2009

HOMETOWN ENGINEERING, LLC

Ethel L. Morgan

Ethel L. Morgan, President

Digest Sheet

Department: City Utilities

Resolution Number: 96-12-02-09-2

Title of Ordinance: An Ordinance of the Common Council of the City of Fort Wayne, Indiana, supplementing and amending Ordinance No. S-134-07 authorizing the acquisition by the City of Fort Wayne, Indiana, of certain improvements and extensions to the City's Waterworks, the issuance and sale of revenue bonds to provide funds for the payment of the costs thereof, the issuance and sale of Bond Anticipation Notes in anticipation of the issuance and sale of such bonds, and the collection, segregation and distribution of the revenues of such Waterworks and other related matters.

Awarded to: N/A **Amount of Contract:** N/A

Number of Bidders: N/A

Description of Project: This Council action modifies the original terms and conditions of S-134-07 wherein the Utilities could issue Bond Anticipation Notes (BAN) to acquire Aqua North Assets. The original authorizing ordinance anticipated and provided for the refunding and reissuance of the one-year BAN for up to 5 iterations (or years).

During the first refunding/reissue of the BAN earlier this year (Feb 2009), we learned that the market requires a higher potential interest rate cap and that it may be valuable to acquire a rating from Moody's or Standard & Poor's (S&P). The rating can be very valuable and for a relatively small cost of $15,000 – $20,000, we can be more attractive to investors. Discussions with our investment banker advised that a rating can improve our interest rate by 1%, saving up to $178,000 in interest per year. We were also advised that the short term BAN market is much better this year and that, with a rating, we could be looking at BAN interest rates below 2%. This would be a very good result.

What are the implications if not approved?: We would be taking an unnecessary risk by not having a rating. After last year's refunding, we learned that investors value the rating agency's review. Additionally, our investment banker requires that we increase the interest rate cap even though there is almost no likelihood that it will ever come into play. We also need the flexibility to provide for the refunding of the 2009 BAN by negotiated sale.

If prior approval is being requested, justify: N/A

Additional Comments: This amending ordinance satisfies the needs of our investment banker, creates flexibility and sets us up to accomplish optimally the 2009 refunding / 2010 reissue.

Signature Controller, City Utilities

Date 12/3/09

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: December 9, 2009

RE: 2009 Passenger Vehicle Lease

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $7,162.90 to be paid from the proceeds of the 2009 Passenger Vehicle Lease Financing which are held in an escrow at SunTrust Bank.

Payment Request #10

Barney's Auto Electric	1,495.00
Optics Planet Inc.	5,667.90
Total for Payment Request	**$ 7,162.90**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

December 9, 2009
Date

UPPER ELY INTERCEPTOR PHASE TWO
CONTRACT/RESOLUTION NUMBER 2232-2009

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 6,780 l.f. of 54-inch diameter, 2,730 l.f. of 48-inch diameter and 1,860 l.f. of 30-inch diameter Fiberglass Reinforced Pipe (FRP) sanitary sewer and 500 l.f. of 18-inch to 8-inch diameter PVC pipe. The interceptor includes one jack and bore casing crossing at Union Chapel Road, east of I-69. The Upper Ely Interceptor Phase Two begins at the north terminus of Phase One, near the westerly end of Kirchner Trail in the Oaks Subdivision, and ends just north of Union Chapel Road approximately 0.25 miles west of Diebold Road.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, **UPPER ELY INTERCEPTOR PHASE TWO.**

Declares the cost of the said improvements shall be paid by the funds from the Fort Wayne Sewer Utility (Revenue).

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares the engineer's estimate of the project's total cost is **$6,500,000**.

APPROVED THIS 9th DAY OF December, 2009.

BOARD OF PUBLIC WORKS

BY: Regina A. Kostoff
Regina A. Kostoff, Chair

BY: _____
Kumar Menon, Member

BY: John Suarez
John Suarez, Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

ANTHONY WAYNE VILLAGE MOUNT VERNON PARK – WATER MAIN REPLACEMENT
RESOLUTION NO. 1978-2007

RESOLUTION BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Orders the construction of approximately 13,533 linear feet of 8-inch and 9,914 feet of 6-inch HDPE water main, 34 valves, and 39 hydrants and all other appurtenances necessary for the water main replacement project.

Said improvements with all their appurtenances shall be constructed in accordance with the plans and specifications titled, "ANTHONY WAYNE VILLAGE MOUNT VERNON PARK-WATER MAIN REPLACEMENT"

Declares the cost of the said improvements shall be paid by the funds from the 2006-State Revolving Loan Fund.

Declares the project is necessary for the protection of public health and welfare of the in habitants of the area and the safeguarding of property within the area.

Declares that this project is of public utility benefit.

Declares Board of Public Works will acquire the property rights described in "Attachment A" (Property Acquisition Summary Sheet).

States there is cost of $11,500.00 for the purchase of easements associated with this project.

Declares the engineer's estimate of the project's total cost is $1,632,100.00.

Declares this project will not change fees currently paid by property owners in the area.

APPROVED THIS 9th DAY OF December, 2009.

BOARD OF PUBLIC WORKS

BY: _____
Regina A. Kostoff, Chair

BY: _____
John Suarez, Member

BY: _____
Kumar Menon, Member

ATTEST: _____
Marilyn Huth, Clerk

Anthony Wayne Village Mount Vernon Park - Water Main Replacement
Easement Costs
"Attachment A"

PO 1	PO 2	St #	Street	Easement Cost	City, State, Zip	Deed
Donald L. McClain	Anna M. McClain	4705	Schaper Drive	$500	Fort Wayne, IN 46806	87-047296
George Benson	Beatrice Benson	5025	Devonshire Drive	$500	Fort Wayne, IN 46806	77-19878
Hattie M. Trigg	Charles E. Trigg	2925	Schaper Drive	$500	Fort Wayne, IN 46806	92-049203
Jonathan Allen	Cynthia D. Allen	2905	Schaper Drive	$500	Fort Wayne, IN 46806	204084461
Stacy Vazquez	Heriberto Vazquez	4917	Devonshire Drive	Condemning (??)	Fort Wayne, IN 46806	207030240
Miguel Solis	Patricia Solis	5001	Devonshire Drive	$500	Fort Wayne, IN 46806	204078936
Kevin D. Tubbs	Peggy L. Tubbs	4925	Devonshire Drive	$500	Fort Wayne, IN 46806	85-30466
James L. Kendrick, Sr.	Valerie R. Kendrick	4921	Devonshire Drive	$500	Fort Wayne, IN 46806	98-0005191
Willie Clancy	Willie Ruth Clancy	3101	Ashcroft Drive	$500	Fort Wayne, IN 46806	D.R. 723-553
Vivian R. Phillips		5119	Devonshire Drive	$500	Fort Wayne, IN 46806	206053364
Deutch Bank National Tr	Indenture Trustee	7105	Corporate Drive	Getting from Bank	Plano, TX 75024-3632	2009036428
Beatriz Carrillo		5103	Devonshire Drive	$500	Fort Wayne, IN 46806	206009906
Shannon Burnell		5019	Devonshire Drive	Condemning (??)	Fort Wayne, IN 46806	2009006271
Thomas L. Kimbrough		5013	Devonshire Drive	$500	Fort Wayne, IN 46806	95-38666
Demetric E. Lee		4909	Devonshire Drive	$500	Fort Wayne, IN 46806	205024285
Darnell Wright		4901	Devonshire Drive	$500	Fort Wayne, IN 46806	2007036826
Joyce I. Reeves		4829	Devonshire Drive	$500	Fort Wayne, IN 46806	95-059408
Melissa Hale		4825	Devonshire Drive	$500	Fort Wayne, IN 46806	203123260
Lisa R. Billingsley		4819	Devonshire Drive	$500	Fort Wayne, IN 46806	206007247
Monique R. Cox		4813	Devonshire Drive	$500	Fort Wayne, IN 46806	20045825
Elizabeth Williams		3102	E. Maple Grove Avenue	$500	Fort Wayne, IN 46806	202067905
Dartania Franklin		4715	Schaper Drive	$500	Fort Wayne, IN 46806	200057280
Alex Rogers		4709	Schaper Drive	Signing this week ($500)	Fort Wayne, IN 46806	203024040
Martha L. Noel		4701	Schaper Drive	$500	Fort Wayne, IN 46806	204028601
Jesse W. Norwood III		4615	Schaper Drive	$500	Fort Wayne, IN 46806	203127422
Adrian A. Wright		4609	Austin Drive	Condemning ($??)	Fort Wayne, IN 46806	204009564
Anthony R. Reeder		2915	Schaper Drive	$500	Fort Wayne, IN 46806	205028884

Updated 12/2/09

Res. #96-12-02-09-2

DEC
DEC 28 2009
By

BILL NO. S-09-12-14

ORDINANCE NO. 142-09

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, SUPPLEMENTING AND AMENDING ORDINANCE NO. S-134-07 AUTHORIZING THE ACQUISITION BY THE CITY OF FORT WAYNE, INDIANA, OF CERTAIN IMPROVEMENTS AND EXTENSIONS TO THE CITY'S WATERWORKS, THE ISSUANCE AND SALE OF REVENUE BONDS TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS OF THEREOF, THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS, AND THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH WATERWORKS AND OTHER RELATED MATTERS

WHEREAS, the City of Fort Wayne, Indiana (the "City") has heretofore established and constructed and currently owns and operates a waterworks by and through its Board of Public Works (the "Board") for the provision of public water supply to the City and its inhabitants (the "Waterworks"), in accordance with the provisions of Indiana Code 8-1.5, as amended (the "Act"); and

WHEREAS, the Common Council (the "Common Council") of the City has previously adopted Ordinance No. S-134-07 (the "Bond Ordinance") authorizing the issuance of waterworks utility revenue bonds by the City to finance the cost of the acquisition of the Project (as defined in the Bond Ordinance); and

WHEREAS, the City had issued its Bond Anticipation Notes, Series 2009, on February 11, 2009, in an aggregate principal amount of $17,840,000, which mature on February 11, 2010 (the "2009 Notes"); and

WHEREAS, the Common Council desires to amend certain provisions of the Bond Ordinance by adopting this ordinance (the "Amending Ordinance") to (i) modify certain terms of the Bond Ordinance; (ii) provide for the refunding of the 2009 Notes by negotiated sale; and (iii) make certain other amendments to the Bond Ordinance in connection therewith;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

Section 1. Section 3 of the Bond Ordinance is hereby amended as follows:

Section 3. The Bonds. In accordance with the Act and for the purpose of providing funds with which to pay the costs of the Project, together with all authorized costs relating thereto including the costs of issuance of the bonds on account thereof, and refunding the BANs, if any, described below, the City shall issue and sell its waterworks utility revenue bonds in an aggregate principal amount not to exceed Twenty-one Million Fifteen Thousand and 00/100 Dollars ($21,015,000.00) (the "Bonds"). The principal of and redemption premium, if any, and interest on the Bonds shall be payable solely out of the Waterworks Sinking Fund referred to below, on a parity with the Prior Bonds.

Any other provisions of this Ordinance to the contrary notwithstanding, the Bonds shall be issued on a parity with the Prior Bonds, and none of the provisions of this Ordinance shall be construed

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to affect the rights of the holders of the Prior Bonds. The Controller is authorized to employ the Financial Advisor, or any other certified public accountant or firm of certified public accountants to perform any and all computations necessary to confirm the preliminary evidence and findings demonstrating compliance with the conditions set forth in the Prior Ordinances for the issuance of additional revenue bonds on parity with the Prior Bonds. The City shall not issue the Bonds without first receiving a certificate from the Financial Advisor or other certified public accountant or firm of certified public accountants in form and substance satisfactory to the Controller and Baker & Daniels LLP, Fort Wayne, Indiana, bond counsel for the City, and to the effect that the City and the Waterworks are in complete compliance with the conditions set forth in the Prior Ordinances for the issuance of additional revenue bonds on parity with the Prior Bonds.

The Bonds shall be designated as the "City of Fort Wayne, Indiana, Waterworks Utility Revenue Bonds, Series 200_" (with the year of issuance to be completed upon the issuance of the Bonds). The Bonds shall be issued as fully registered bonds in denomination or denominations of Five Thousand Dollars ($5,000) and any integral multiples thereof not exceeding the aggregate principal amount of such Bonds maturing in any one year, or in the event that the Bonds are sold to the Bond Bank pursuant to Indiana Code 5-1.5 and Section 11 hereof, shall be in such denominations as the Bond Bank may request. The

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Bonds shall be numbered consecutively from __R-1 upward (with the blank to be filled in with the last two digits of the calendar year of issuance of the Bonds) and shall bear interest at a rate or rates not exceeding eight percent (8.0%) per annum (the exact rate or rates to be determined by negotiation with the Bond Bank or by bidding, as further described in Section 11 hereof). Said interest rate or rates shall be in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%) if sold by bidding and one-one hundredth (1/100) of one percent (.01%) if sold by negotiations. All Bonds and/or BANs maturing on the same date shall bear the same rate of interest on Bonds and/or BANs of an earlier maturity. Interest on the Bonds shall be calculated on the basis of twelve (12) thirty (30)-day months for a three hundred sixty (360)-day year and shall be payable semiannually on June 1 and December 1 of each year (each, an "Interest Payment Date"), commencing not earlier than the June 1 or December 1 following the sale date of the Bonds, with the first interest payment date to be determined by the Controller with the advice of the Financial Advisor and set forth in the Issuer's Certificate (as hereinafter defined), until principal is fully paid. The principal of the Bonds shall mature serially on December 1 of each year, commencing not earlier than the December 1 next following the sale date of the Bonds, and ending not later than the December 1 which is not more than twenty (20) years following such date on the dates and in the principal amounts as set forth in the Issuer's Certificate. The final

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amortization schedule for the Bonds shall be certified by the Controller to effectuate annual debt service as level as practicable (which may, if deemed in the City's best interest, take into consideration the remaining debt service on the Prior Bonds).

The Bonds shall bear an original issue date which shall be the date of delivery of the Bonds, as set forth in the Issuer's Certificate (unless otherwise provided in the Purchase Agreement (as hereinafter defined) in the event the Bonds are sold to the Bond Bank), and each Bond shall also bear the date of its authentication. Any Bond authenticated on or before the fifteenth day of the calendar month immediately preceding the first Interest Payment Date shall pay interest from its original issue date (unless otherwise provided in the Purchase Agreement in the event the Bonds are sold to the Bond Bank). Any Bond authenticated thereafter shall pay interest from the Interest Payment Date next preceding the date of authentication of such Bond to which interest thereon has been paid or duly provided for, unless such Bond is authenticated after the fifteenth day of the calendar month immediately preceding an Interest Payment Date and on or before such Interest Payment Date, in which case interest thereon shall be paid from such Interest Payment Date.

Section 2. Section 6 of the Bond Ordinance is hereby amended as follows:

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Section 6. The BANs. In anticipation of the issuance and sale of the Bonds authorized herein, and to provide interim financing to apply to the costs of the Project and to refund the outstanding 2009 Notes, the City is hereby authorized to have prepared and to issue and sell negotiable BANs of the City to an eligible purchaser of the BANs under Indiana Code 5-1-14-5 or the Bond Bank, pursuant to a Bond Anticipation Note Purchase Agreement (the "BAN Purchase Agreement") entered into between the City and the purchaser of the BANs, in an aggregate principal amount not to exceed Seventeen Million Eight Hundred Forty Thousand and 00/100 Dollars ($17,840,000.00), to be designated "City of Fort Wayne, Indiana, Waterworks Utility Revenue Bond Anticipation Notes, Series 2009" (with the year of issuance to be changed, as appropriate, in the event the BANs are issued in a calendar year after 2009). The BANs shall be issued pursuant to Indiana Code 5-1.5-8-6.1 if sold to the Bond Bank, or pursuant to Indiana Code 5-1-14-5 if sold to an eligible purchaser thereunder. The BANs shall be issued in fully registered form, shall be numbered consecutively from 09R-1 upwards (with the first two digits to be replaced with the last two digits of the calendar year of issuance in the event the BANs are issued in a calendar year after 2009), shall be in such denominations as the purchaser of the BANs may request, shall be dated as of the date of delivery of the BANs, and shall bear interest at a rate or rates not exceeding ten percent (10.0%) per annum (the exact rate or rates of

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interest to be determined by negotiations with the purchaser of the BANs and payable as provided in the BAN Purchase Agreement). The initial BANs delivered will mature on the date provided in the BAN Purchase Agreement, not later than one (1) year after their date of issuance. The BANs may be subject to renewal or extension or refunding, subject to the limitations set forth below, at an interest rate or rates not to exceed ten percent (10.0%) per annum, with the exact rate to be negotiated with the purchaser of such BANs. The term of the BANs and all renewal BANs may not exceed five (5) years from the date of delivery of the initial BANs.

The principal of the BANs shall be refunded and retired out of the proceeds from the issuance and sale hereunder of the Bonds or the net revenues of the Waterworks, subject to the prior lien thereon of the Prior Bonds. The principal of the BANs, and the principal of and interest on the BANs prepaid in accordance with Section 7 hereof shall be refunded by the issuance of the Bonds pursuant to, and in the manner prescribed by the Act. The interest on the BANs shall be payable either from the net revenues of the Waterworks, subject to the prior lien thereon of the Prior Bonds, or from proceeds from the issuance and sale hereunder of the Bonds, as set forth in the BAN Purchase Agreement.

Section 3. Section 7(a) of the Bond Ordinance is hereby amended as follows:

Section 7. Optional Prepayment of BANs; Optional Redemption of the Bonds; Term Bonds.

(a) Optional Prepayment of BANs. The BANs shall be subject to prepayment by the City, in whole and not in part, at a time to be determined by the Controller and set forth in the Issuer's Certificate. In the case of prepayment, the principal and accrued interest due on the BANs shall be paid only from proceeds of the Bonds, except that such principal and interest due on the BANs may also be paid from other revenues and funds legally available therefor, if any, including federal or state funds available for application to the Project; provided, however, that such funds are not pledged to the payment of the BANs.

Section 4. Section 11(a) and (b) of the Bond Ordinance is hereby amended as follows:

Section 11. Issuance, Sale and Delivery of the Bonds and the BANs.

(a) Generally. The Controller is hereby authorized and directed to have the Bonds and the BANs prepared, and the Mayor, the Controller and the Clerk are each hereby authorized and directed to execute, countersign and attest, respectively, the Bonds and the BANs in the form and manner herein provided. The Controller is hereby authorized and

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directed to deliver the Bonds and the BANs to the purchaser or purchasers thereof after sale made in accordance with the provisions of the Act and this Ordinance, provided that at the time of said delivery the Controller shall collect the full amount which the purchaser or purchasers have agreed to pay therefor, which shall be not less than ninety-nine percent (99.0%) of the par amount of the Bonds (or such higher percentage of the par value of the Bonds as determined by the Controller and set forth in the Issuer's Certificate), plus accrued interest thereon, if any, to the date of delivery, and in the case of the BANs, shall not be less than ninety-nine percent (99.0%) of the par amount of the BANs. The City may receive payment for the Bonds and the BANs in installments. The proceeds derived from the sale of the Bonds (or, instead, the BANs, if such BANs are issued), shall be and are hereby set aside for application to the costs of the Project, including all authorized costs relating thereto, and including the respective costs of issuance of the Bonds and the BANs. The authorized officers of the City are hereby authorized and directed to draw all proper and necessary warrants and to do whatever other acts and things that may be necessary or appropriate to carry out the provisions of this Ordinance.

(b) Issuance, Sale and Delivery of the BANs. The City, having satisfied all the statutory requirements for the

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issuance of the Bonds, may elect to issue its BAN or BANs to an eligible purchaser under Indiana Code 5-1-14-5 or the Bond Bank pursuant to the BAN Purchase Agreement, to be entered into between the City and the purchaser of the BANs. The Common Council hereby authorizes the issuance and execution of the BAN or BANs in lieu of initially issuing Bonds to provide interim financing for the Project until permanent financing becomes available. It shall not be necessary for the City to repeat the procedures for the issuance of its Bonds, as the procedures followed before the issuance of the BAN or BANs are for all purposes sufficient to authorize the issuance of the Bonds and the use of the proceeds to repay the BAN or BANs. The Mayor and the Controller are hereby authorized and directed to execute the BAN Purchase Agreement in such form or substance as they shall approve acting upon the advice of counsel. The Mayor and the Controller may also take such other action or deliver such other certificates as are necessary or desirable in connection with the issuance of the BANs or the Bonds and the other documents needed for the financing as they deem necessary or desirable in connection therewith.

The BANs may be offered and sold pursuant to an Official Statement with respect to the BANs (the "Official Statement"), to be made available and distributed in such

manner, at such times, for such periods and in such number of copies as may be required pursuant to Rule 15c2-12 promulgated by the United States Securities and Exchange Commission (the "Rule") and any and all applicable rules and regulations of the Municipal Securities Rulemaking Board. The City hereby authorizes the Mayor (a) to authorize and approve a Preliminary Official Statement, as the same may be appropriately modified and amended for distribution as the Preliminary Official Statement with respect to the BANs; (b) to designate the Preliminary Official Statement a "final" Official Statement with respect to the BANs, subject to completion; (c) to authorize and approve the Preliminary Official Statement to be placed into final form and to enter into such agreements or arrangements as may be necessary or advisable to provide for the distribution of a sufficient number of copies of the Official Statement; and (d) to execute the Official Statement. The Mayor and the Controller are hereby further authorized to have prepared and execute an agreement for purposes of evidencing the obligation of the City to comply with any continuing disclosure requirements with respect to the BANs, if necessary under the Rule.

Section 5. This Amending Ordinance is adopted by the Common Council for purposes of supplementing and amending the Bond Ordinance, and the terms and conditions of the Bond Ordinance and all references to "BANs" as set forth in

the Bond Ordinance, to the extent not inconsistent with the terms of this Amending Ordinance, are incorporated herein by reference and shall apply to all BANs issued hereunder as if set forth herein.

Section 6. Effectiveness. Except as hereby supplemented and amended hereby, the Bond Ordinance shall remain in full force and effect.

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Adopted by the Common Council of the Fort Wayne, Indiana, on this

____day of _____, 2009.

COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Elizabeth Brow
Presiding Officer

APPROVED AS TO FORM AND LEGALITY

Carol T. Taylor, City Attorney

ei

Read the first time in full and on motion by Brown, and duly adopted, read the second time by title and referred to the Committee on Finance, (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 2009, at _____, o'clock _____ M.,E.S.T.

DATED: 12-8-09

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Brown, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	8			1
BENDER	✓			
BROWN	✓			
DIDIER	✓			
GOLDNER	✓			
HARPER	✓			
HINES	✓			
PAPE				1
SHOAFF	✓			
SMITH	✓			

DATED: 12-15-09

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) ~~(ZONING)~~ ORDINANCE (RESOLUTION) NO. S-142-09 on the 15th day of December, 2009

ATTEST:

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL

Thomas C Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day of December, 2009, at the hour of 1:30 o'clock P.M.,E.S,T.

Sandra E Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 17TH day of December 2009, at the hour of 8:30 o'clock A M.,E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

G2

RESOLUTION NO. 2276-2009
HEADWATER'S PARK EAST STORM LINE DRAINAGE IMPROVEMENTS

WHEREAS, a stormwater drainage problem exists at two 15" storm lines located within Headwater's Park East in the City of Fort Wayne, Indiana; and

WHEREAS, Utility Engineering determined that this is a public problem and a repair is warranted; and

WHEREAS, Utility Engineering has developed an improvement plan to repair the stormwater drainage problem; and

WHEREAS, the improvement involves replacing two (2) metal flap gates with rubber duck bills and installing two (2) gate valves on two 15" storm lines within Headwater's Park East; and

WHEREAS, Utility Engineering invited six (6) Contractors to submit invitational bids for said improvements.

WHEREAS, Utility Engineering and has received said invitational bids for said improvements as follow:

Bercot, Inc.	$ 35,882.00
Scheidleman Excavating	$ 49,946.34
Crosby Excavating	**$ 33,985.00**
Pyramid Excavating	No bid submitted
Land Construction	$35,945.00
Kurtz Excavating	$39,076.25
Engineer's Estimate	***$38,725.00***

NOW, THEREFORE, the Board of Stormwater Management hereby declares a drainage improvement is necessary and requests the Purchasing Department to issue a Purchase Order to **Crosby Excavating, Inc. in the amount of $33,985.00.**

Adopted, this 16 day of December, 2009.

BOARD OF STORMWATER MANAGEMENT

Robert P. Kennedy,
Chairman

John Suarez,
Member

Matthew A. Wirtz,
Member

ATTEST: Marilyn Huth
Marilyn Huth, Clerk

TO: Marilyn Huth - Board of Public Works

FROM: Valerie Ahr, Deputy Controller

DATE: December 9, 2009

RE: 2000 Fort Wayne Municipal Building Corp - Fire Station #15

Please include the following payments with the Civil City vendor payments.

The Controller's Office is requesting the Board of Public Works to approve payments in the amount of $1,500.00 to be paid from the proceeds of the 2000 FWMBC - Fire Station #15 which are held in an escrow at Wells Fargo Corporate Trust Services.

Wells Fargo Bank, N.A.	1,500.00
Total for Payment Request	**$ 1,500.00**

Regina A. Kostoff, Chair

John Suarez, Member

Kumar Menon, Member

December 16, 2009
Date

CITY UTILITIES
2010 Budget

STORMWATER

Recommend By:

Kumar Menon
Director of Utilities

Approved by Board of Stormwater Management:

Robert P. Kennedy, Chair
Board of Stormwater Management

Date: 12-23-2009

John Suarez
Board of Stormwater Management

Date: 12-23-2009

Matthew A. Wirtz
Board of Stormwater Management

Date: 12-23-2009

Attested by:

Marilyn Huth, Clerk

Date: 12-23-2009

Approved by:

Thomas C. Henry, Mayor

Date: 12-29-2009

CITY UTILITIES
2010 Budget

WATER, SEWER, ELECTRIC AND YARD

Recommend By:

Kumar Menon
Director of Utilities

Approved by Board of Public Works:

Regina A. Kostoff, Chair
Board of Public Works

Date: 12-23-2009

John Suarez
Board of Public Works

Date: 12-23-2009

Kumar Menon
Board of Public Works

Date: 12-23-2009

Attested by:

Marilyn Huth, Clerk

Date: 12-23-2009

Approved by:

Thomas C. Henry, Mayor

Date: 12-29-2009